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THE
INDIANA COLLECTION
HISTORY OF KENTUCKY.

INCLUDING AN ACCOUNT OF THE
DISCOVERY—SETTLEMENT—PROGRESSIVE
IMPROVEMENT—POLITICAL AND MILITARY
EVENTS—AND PRESENT
STATE OF THE COUNTRY.

IN TWO VOLUMES....VOL. I.

By HUMPHREY MARSHALL.

FRANKFORT:
PRINTED BY HENRY GORE.

1812.

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UNITED STATES OF AMERICA.

DISTRICT OF KENTUCKY, *Sct.*

BE it remembered, That on the 8th day of July, A. D. 1812, and in the thirty-seventh year of the Independence of the United States of America, HUMPHREY MARSHALL, of the said District, deposited in this office, the title of a Book, the right whereof he claims as author in the words and figures following, (to wit)

"The History of Kentucky, including an account of the discovery—settlement—progressive improvement—political and military events—and present state of the country. In two volumes—vol. 1. By Humphrey Marshall."

In conformity to the act of Congress of the United States, "entitled an act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned." And also to an act entitled "an act supplementary to an act, entitled "an act for the encouragement of learning, by securing the copies of maps, charts and books, to the authors and proprietors of such copies during the time therein mentioned." And extending the benefits thereof to the arts of designing, engraving, and etching, historical and other prints."

JOHN H. HANNA,

[L. S.]

Clerk of the District Court of the United States, in and for the District of Kentucky.

INTRODUCTION.

IT is now thirty-seven years since the first permanent settlements were made in Kentucky. Many of the early adventurers, and first inhabitants, have disappeared, by the ordinary operations of nature, or the incidents of Indian hostility; and others best acquainted with the origin, rise, and progress, of its improvement, verging fast to the silent grave. Facts, and circumstances, which may now be attested, by the living, in a few years, could only be reported upon the faith of tradition. It is always desirable, that the historian should be able to ascend to the sources of evidence, and thence to deduce his details. An important advantage, which a history of Kentucky, now written, will have over one that should be deferred for a number of years, is, that its narratives may be attested or corrected by, **LIVING WITNESSES.**

Being ourself a resident of Kentucky for more than thirty years, and having occasion to witness, or to be well informed of passing events;—considering that it may be useful for the present, and future ages, to perpetuate the memory of the most important of those events, and not knowing that any other individual, with the same means of information, has it in contemplation to write a history of Kentucky, we have determined, with our feeble, but best abilities, *to present our countrymen with one*, which may be characterised, topographical, biographical, and political. These topics are, it is believed, sufficiently copious to embrace the great objects of history; and to admit of all that variety, and detail, which constitute, the amusement, and the utility, of historical composition. **826464**

There is not probably, any thing which more distinctly marks the difference between savage, and civilized states, than the want, or possession of history. Mere savages, have no historical records—while nations, the least civilized, seem to possess some. The desire of preserving memorials of interesting events, must be one of the most universal emotions of the human heart; since we are taught, to believe, that all nations in proportion to the information which they have acquired, and the means of display they possessed, have exhibited evidences of its existence. Some in the knotting of a string; some in the coarse painting, or rude sculpture, found in council houses, their places of worship, on their warlike instruments, or domestic utensils.

INTRODUCTION.

Some have been seen to raise up huge piles of stones, destitute of art ; some to rear simple pillars ; others to erect obelisks, towers, pyramids ; and (to denote subsequent, or less important events,) to inscribe on these hieroglyphic characters—the first rude essays, it is thought, in the art of writing.

The invention of alphabetical letters may well be considered, as one of the most important events in the progress of the arts, were they only used in the composition of history : because they so far surpass in facility of composition, accuracy of delineation, and durability of existence (including the ease of renewal) all other modes of transmitting to future times, the memory of past events. Hence all nations who have learned the use of letters, have written histories.

The number, and species, of these histories, have been greatly multiplied, as letters have been more and more cultivated, and a freer expression of knowledge obtained, by the improvement of paper, and the invention of the printing-press.

History, to be useful, should be authentic. It should also preserve the series of the events, which it records—and it should record all those, which are susceptible of a moral, religious, or political application.

To those who have been accustomed to read the histories of ancient, long existing, or great and populous states, or empires, the history of Kentucky for the space of thirty-seven years only, may seem a subject equally unworthy of the author, and the reader. But when we reflect, that the little all of one man, is as dear to him, as the multiplied treasures of another ; we may reasonably expect that to the people of Kentucky, at least, the history of their own country, will be an object of no common interest, or faint solicitude.

How far the history about to be offered to them, will answer their expectations, meet their wishes, or gratify their love of country, will depend essentially on the materials employed, as well as on the skill, and judgment of the workman. When the author turns his attention to the ancient Republics of Greece, and of Rome, or contemplates the modern empires of the world, his mind is filled with a crowd of interesting, important, and brilliant figures ; the mere investigation and display of which, would give animation to genius, sublimity to thought, and eloquence to style.

Should he trace the revolutions of ancient states, and develop their causes ; should he single out the ambitious demagogue, who from time, to time, deluded the credulous people, under the mask of *patriotism*, and the name of *REPUBLICAN*, and thence pursue him to the usurper, and the

despot, he would have full scope for moral reflection, and political admonition ; while the picture made to glow with the most ardent passions of the human heart, could not fail to produce in the spectator, a coincidence of sensations, and emotions.

Again, when we review, the pride and pomp of authority, and the insolence of power, in the kings, and emperors, of countries once free, and happy ; and contrast the present, with the former, state of the people ; the master with the slave ; indignation, pity, and contempt, successively take their turn ; and require but the simple delineation of a faithful pencil, to give interest to the portrait, and reputation to the painter.

To this scene, add the sound of the trumpet—the parade of arms—the clangor of battle, and the triumph of victory—and you have subjects for the historian and the poet, of themselves sufficiently affecting, and potent, to create talents, brighten genius, inspire the historian, and fire the epic muse.

But Kentucky ! brought forth in obscurity ; laped in simple industry ; raised up in peace, after a few predatory alarms, and simple invasions of savages ; what has she in common with the countries, just reviewed ? what splendid subjects for history does her short period of existence display ? How shall the historian fill his empty page ? How shall he give interest to his narrative ? How shall he attract attention ? How reward his reader ?

Cease inconsiderate enquirer—nor think the field barren, which has produced an independent state, encircled in the American union. Deem not the subject destitute of interest, which involves the birth, and infancy, of a growing nation, who may justly claim a high destiny in the federal galaxy of North American constellations. Nor has Kentucky, been without her wars, revolutions, conspiracies—She too, has had her generals, statesmen, patriots—and traitors ! ! !

The progress of improvement is here strongly marked—the face of nature has been changed. The recent forest is now the cultivated field : the bark-hut, has given place to the elegant farm-house ; and many parts of bare creation, are now covered with populous towns. Here learning is encouraged ; science cultivated ; the useful arts cherished ; and labor crowned with plenty ; its best hope, and just reward.

Kentucky, has her moral, religious, and political character ; themes, equally worthy, the laborious investigation of the statesman, and the faithful record of the historian. These shall receive our most sedulous attention ; in the production of the following work.

PREFACE.

LAST of all, comes the preface—to tell why the author wrote his book—the manuscripts he has read, the documents he has consulted—the writers he has followed, and the method he has pursued, in arranging his subjects. It is here also, he defies the rage, or invokes the mercy, of the critics.

To us, the most of this is unnecessary. For we present the first history of Kentucky—and what is remarkable, it has neither note, reference, or errata. Not that it is the more perfect, or less authentic, on this account. As to its errors, we have seen them, & others will see them, without our aid; on its authenticity, we build its moral and political utility. Will it be satisfactory to its readers? If we thought it would be so to *conspirators* and *intriguers*, we would commit it to the flames. That it will be favorably received, by honest, and liberal minds, we can but entertain a modest hope. The style, and method, are our own; and as to the critics, we care nothing about them. Never probably, was history written under circumstances more unfavorable; never did we write two days successively—often have we laid by the sheet for weeks—and sometimes sent it smoking to the press. And what is more, if we had not written in this way, we should never have finished the book.

Should this volume be well received, it will enable us to write, and publish another, which will bring down the history to the time being.

It will be in our power to make that more perfect, as we shall have more command of our time and materials. This it may be said, is a very simple preface—and with a like simplicity, we, offer the book to our countrymen.

THE AUTHOR.

July 8th 1812.

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HISTORY OF KENTUCKY.

CHAPTER I.

CONTENTS OF CHAPTER I.

*Origin of the name—general description of the country—
outline of the Indian character—visited by John Finley
—first settlements by its present race of inhabitants—*

A LONG, deep-channeled, and clifty river, having its head springs in the western spurs of the Cumberland Mountain, thence meandering as it best could find its way through an immense but elevated, undulated plane, in a north-westwardly direction, and called by the Indians Kan-tuc-kee ! with a strong emphasis, and which denominated the neighboring forest, has been converted into KENTUCKY ; and applied by its present race of inhabitants, to the country, whose history, we have undertaken to write.

This country extends from latitude thirty-six degrees and thirty minutes north of the equator, along the great river Mississippi, and the placid Ohio, on the westward ; and with the high and rugged top of the Cumberland

Mountain on the south-eastward ; as far as the Big Sandy River, which terminates its north-eastern boundary in its whole extent.

The exterior form of this extensive territory is reducible to no mathematical definition ; its sides are unequal in length ; and its line of boundary exceedingly irregular. Its extreme points, east and west embrace seven degrees of longitude ; and its extent from south, to north, about two degrees, and forty minutes of latitude.

The superficial content of the country, is supposed to be fifty thousand square miles ; it lies within the fifth climate ; and its longest day is fourteen hours, and forty minutes of time. Its surface is sufficiently variegated, and abundantly channeled by streams of water. The seasons are mild, and the atmosphere healthy. There are many hills, distinguished in consequence of their magnitude, and elevation, by the name of **KNOBS**. Other mountains, there are none, exclusive of those immediately connected with the great Cumberland Mountain.

Six large rivers, but of unequal size, traverse the country, having their sources towards the east, and uniting with the Ohio, on the north-western boundary. These are, Licking, the Kentucky, Salt-River, Green-River, Cumberland, and Tennessee Rivers ; each affording navigable water for boats to considerable, but uneven distances, from the Ohio.

Of the Cumberland River, **KENTUCKY**, claims both extremities, but not the whole extent ; of Tennessee, only the lower part.

This delightful country from time immemorial had been the resort of wild beasts, and of men, no less savage, when in the year 1767 it was visited by John Finley and a few wandering white men, from the British colony of North-Carolina ; allured to the wilderness, by the love of hunting, and the desire of trading with the Indians, who were then understood to be at peace. These were a race of men whose origin, lies buried in the most profound obscurity ; and who, notwithstanding their long intercourse with the European colonists, had not then arrived at the shepherd state of society ; of course not practiced in the arts of agriculture, or mechanics ; but dependent, on fishing, and hunting, by the men, and a scanty supply of maize, raised by the women, with imperfect instruments, for subsistence. Their cloathing they derived from the skins of wild animals, and the scanty supply, of itinerant traders and pedlars ; who at times, resorted their towns. Sometimes at peace, but more generally at war, these Indians, however diversified by tribes, under one general characteristic, are active, vigilant, and enterprising, in their pursuits ; of a dark red complexion ; black hair, and eyes, straight limbs, and portly bodies ; equally crafty, or brave, as circumstances require ; and remarkable for the sagacity of their conceptions, and the eloquence of their speech.

Besides the distance of this country from the populous parts of the colonies, the almost continual wars with the Indians, and the claim of the French to the regions of the Mississippi, and Ohio, had prevented, all attempts to explore it, by public authority.

While SPOTSWOOD, was Governor of Virginia, he seems to have taken *mentally* a comprehensive view of the vast plane lying between the Alleghany Mountains and the Mississippi, and to have recommended a plan for reducing it, into the possession of his Britannic Majesty. But in this, he was not supported by the Court. And the country remained as before, known only upon the English maps, as filling up certain degrees of latitude, and longitude, to a much later period.

After the commencement of the war of 1739, between Great-Britain and Spain, which soon involved the whole house of Bourbon; the same Spotswood, who then lived in retirement in Virginia, was appointed to command, the colonial troops, and assured that his favorite project of occupying the regions of the Ohio, should be carried into immediate execution. In this enterprise he would have been warmly supported, by many of the Virginians, but his death which soon after took place, again retarded its accomplishment; and the kindling spark of Virginian spirit for military enterprise, was permitted to burn out, for want of fuel, which could alone be supplied by the mother country.

The war which afterwards took place between Great-Britain and France, about the year 1754 in America, carried many of the colonists to the upper waters of the Ohio; and at the peace of 1763, the British crown was left in possession of Fort Pitt. But no attempts had yet been made to explore Kentucky, much less to occupy the country. So far from either, that settlements on the western waters were prohibited; or restrained to the

Ohio company ; who directed their views to the north-western parts of Virginia.

These circumstances, in connection with the known tardiness of the human mind, in familiarising itself with countries, “ which the eye hath not seen,” will satisfactorily account for the ignorance which prevailed in Virginia, relative to Kentucky, at the time it was in a manner discovered by Finley, and his party in 1767.

The country once seen, held out abundant inducements to be revisited and better known. Among the circumstances best adapted to engage the attention, and impress the feelings of the adventurous hunters from North-Carolina ; we select the uncommon fertility of the soil ; and the great abundance of wild game ; so conspicuous at that time in Kentucky. And we are assured that the effect, lost nothing of the cause. Forests those hunters had seen ; mountains they had ascended ; valleys they had traversed ; deer they had killed ; and bears, they had successfully hunted : they had heard the howl of the wolf ; the whine of the panther ; and the heart-rending yell of the savage man ; with correspondent sensations of delight, or horror : but these were lost to memory, in the contemplation of Kentucky—animated with all the enchanting variety, and adorned with all the majestic grace and boldness of nature’s creative energy. To nature’s children, nature herself is eloquent ; never before had the feelings of these rude hunters, experienced so much of the pathetic, the sublime, or the marvellous. Their arrival on the plains of Elkhorn, was in the dawn of summer ; when the forests composed of oaks of various

kinds, of ash, of walnut, cherry, buckeye, hackberry, sugartree, locust, sycamore, coffee tree, and an indefinite number of other trees, towering aloft to the clouds, overspread the luxuriant undergrowth with their daily, shade; while beneath the shrubs, the cane, the herbage, and the different kinds of grass, and clover, interspersed with flowers, overlaid the soil with the forest's richest covering. And the soil more fat and fertile than Egypt's boasted Delta, from her maternal bosom, gave copious nutriment, and in rich exuberance, sustained the whole in matchless verdure. Here it was, if Pan ever existed, that without the aid of fiction he held his sole dominion, and sylvan empire, unmolested by CERES, or LUCINA.

The proud face of created nature here presented itself, without a wound inflicted by the hand of art. No wood had been felled; no field cleared; no human habitation raised; even the red man of the forest had not put up his wigwam of poles and bark. But that mysterious being, whose productive power, we call nature, ever bountiful and great, had not spread out this luxuriant pasture, without stocking it with numerous herds and flocks: nor were their ferocious attendants, who prey upon them, wanting to fill up the circle of created beings. Here was seen the timid deer; the fleet elk; the surly bear; the crafty fox; the ravenous wolf; the devouring panther; the insidious wild-cat; and the haughty buffaloe: besides innumerable other creatures, winged, four-footed, or creeping. And here at some time unknown, had been, for his bones are yet here, the Leviathan of the forest, the monstrous MAMMOTH;

whose trunk, like that of the famous Trojan horse, would have held an host of men ; and whose teeth, eleven feet in length, inflicted death and devastation on both animal and vegetable substances ; until exhausting all of each within its range, itself became extinct. Nor is it known, although the race must have abounded in the country, from the great number of bones found in different places, that there is one of the species living on the American continent, if in the universe.

Such were the aspects exhibited in Kentucky, when in 1767, it was visited by John Finley, and his comrades.

They traversed the country, with sensations of wonder and delight never known by them before ; and thence returned home the same year, to give to their friends an account of the new Eden which they had found. Their narrative excited much curiosity, some belief, and not a little doubt ; but raised up no immediate adventurers, for the pathless wilderness, and dark forests, which had been traversed by them.

At this time the name of Kentucky was but faintly heard in Virginia, nor is it known that any one from that colony, had ventured across the Cumberland Mountain, which seemed to bound her western prospect ; unless it be true, that Doctor Walker, a Virginia gentleman of intelligence and enterprise, who had about the year fifty-eight visited Powell's Valley on the east of the Cumberland Mountain, with a small party, intending a tour to the westward in search of the Ohio, had actually crossed the Cumberland Gap, and passed the river of that name ; of which there is some tradition.

And that pursuing his rout in a north-eastwardly direction, he traversed the hilly country enveloping the streams of those rivers which issue from the base of that mountain, as far as Big Sandy, by which he returned ; after a journey of prodigious labor and difficulty to his own home. And which necessarily left him as ignorant of the interior of Kentucky as if he had remained at rest ; and gave him such an idea of the country that he did not again attempt to explore it, for discovery. Nor was his representation of it calculated to excite others, by any other motive than curiosity, the gratification of which, would incur, privation, labour, and danger.

The country beyond the Cumberland Mountain, still appeared to the dusky view of the generality of the people, almost as obscure, and doubtful as America itself, to the people of Europe, before the voyage of Columbus.—A country there was ; of this they could not doubt, who thought at all ; but whether land or water, mountain or plane, fertility, or barrenness, predominated ; whether inhabited by men or beasts, or both, or neither, they knew not. If habitable by man, they supposed it filled with Indians ; for they had always found them on their frontiers. And this had been a powerful reason for not exploring the regions west of the great mountain, which concealed Kentucky from their sight.

Indian tradition alone gave them an idea of its distinct existence, or extent, and what little else was known. But this tradition, besides its coming from heathen, and enemies, was confused, and unsatisfactory. The great

body of the people in the interior of the colony, knew nothing about the country, or heard it spoken of, as a tale is told in romance. Nor had the bold and hardy hunter of the frontier yet ventured to explore it, for game, his favorite pursuit.

Two years after the return of Finley, to North-Carolina, some of the first adventurers again visited the country, with DANIEL BOONE; who will be better known in the progress of this history.—Of John Finley, except that he was the pilot of Boone, and it is a subject of extreme regret, nothing more is known.—Were we permitted to indulge our imagination, in drawing a portrait, for this man—the first to explore a remote, and savage country—we could but give him bodily strength, and vigor of intellect; the necessary basis of bold conceptions, and the fortunate execution of untried enterprise. But to the historian, destitute of facts, for his text, silence supercedes commentary.

The party with Daniel Boone, remained a longer time in Kentucky, than Finley's party, had done: they explored the country more generally; they discovered its variety, of soil and surface; they ranged through its forests, and they found its different rivers; and by pursuing the paths and roads made by wild animals, particularly the buffaloe, they were led to many of the salt-springs, at which salt is now made, for the consumption of its present inhabitants; and to which those animals resorted, for the use and benefit of the salt, so necessary to animal life:—this was obtained, by drink-

ing the water, or licking the earth. Nor did the party with Boone, who was its leader, remain much longer ignorant of another fact, of equal importance to any yet discovered. It was, that notwithstanding there were no human habitations, in the country, for the hospitable reception of the stranger, yet it was the hunting ground; and often the field of battle, for the different neighboring tribes of Indians, from the north, the west, and the south. Possessed, by none of these, for residence, or cultivation; the country was claimed as the property of some, and as a common park, where game was to be killed by all of these tribes.

Here these wild, but dexterous hunters often met; and here they often fought each other, for the skins of the beasts which they had killed; or to prevent the future killing of others, by the adverse tribes, or individuals. In consequence of which, the country being thickly shaded, was called in their expressive language, **THE DARK, AND BLOODY GROUND.**

Daniel Boone continued in this country about two years, and then returned to his home in North-Carolina; without having made any permanent settlement; but possessed of an extensive knowledge of the country; which he disseminated among his acquaintances.

About the year 1770, a rumor of Kentucky having reached the western settlements, of Virginia, on the new-river, Holston, and Clinch, a party of about forty stout hunters, associated for the purpose of trapping, and shooting game, west of the Cumberland Mountains. Equipped, with their rifles, dogs, traps, blankets, and

suitable dress for the woods, they commenced their arduous enterprise in the real spirit of hazardous adventure, through the rough and rugged forests, which, envelope, these mountains, and their appendages of hills.

Nine of this company, led on by the present Colonel James Knox, reached Kentucky; and from the time they were absent, obtained the name of the LONG HUNTERS; the rest of the party either killed by the Indians; or fearing to encounter the increasing danger and fatigue of the tour, saw not the interior of Kentucky, and are no more spoken of in this history.

The party with Knox, confined their excursions, and researches, principally to the south side of the Kentucky River; and after an extensive, and irregular range through the country, returned to their former habitations, with the experience of many incidental hardships and difficulties; and with a goodly stock of knowledge of the southern regions of Kentucky, to compensate them for other privations.

There is no tradition, that Boone, and Knox, ever met in these excursions, or knew of each other's being in the country at the time.

The return of Knox, to Virginia, contributed to diffuse a knowledge of Kentucky through the part of the country, where he lived; and was the cause of rousing others to engage in a like enterprise. He also repeated his visits, and is reconed among the early, if not among the first, settlers in the country. We admire perseverance, and consistency of design, and feel a pleasure in knowing, that an extensive property in

the fertile soil of the country, has rewarded the industry, and good management of Col. Knox, with an affluent independence.

In the mean time, FAME, who like ENVY, never ceases to busy herself with the affairs of men, had flown through the colonies, with the name and description of Kentucky; which she embellished by her invention; and blazoned from her wide mouthed trumpet, of “various note.”

Thus was curiosity excited in the interior of Virginia, and the minds of the people more familiarised to the dangers of exploring those unknown regions beyond the habitations of the western settlers.

In more northern latitudes, some of these objects were better known; the last war in Canada between Great-Britain and France, had led many of the colonists, to the upper waters of the Ohio; and by an association of ideas, to contemplate, the country below. But of that knowledge of Kentucky which proceeds from visual observation, even those were not possessed; nor is it known that any adventurers down the Ohio, had returned so early as 1767; the time that Finley visited the country, with any intelligence from Kentucky. But causes were in operation, which unavoidably led to a full discovery, and settlement of the country.

The peace of 1763 secured to Great-Britain the right of territorial sovereignty, to the country on the east of the Mississippi, comprehending Kentucky, to which France had previously asserted the paramount right of territory and dominion. The change of this right of

dominion, whether real or imaginary, necessarily facilitated the transmigration, of British colonists, from their atlantic settlements to the newly acquired territory, on the western waters.

Another circumstance of direct influence upon the fuller discovery and future settlement of the country on the Ohio, was the bounty given in the western lands, to the officers and soldiers of the Virginia troops, who had served in the British army, in the war of Canada.

These lands were to be surveyed by the claimants on the waters of the Ohio—of which the upper part of the Great Kanhawa, called NEW-RIVER, was known, and thinly settled at an earlier day. This river, on the fertile banks of which, some of these bounty lands were surveyed as early as 1772, led directly on to the Ohio. In 1773, several surveyors were deputed to the Ohio River for the purpose of laying out other tracts of bounty land.

These surveyors descended the Ohio, as low as the Rapids, in thirty-eight degrees, and eight minutes of north latitude. Thence they explored the country for some distance, and made surveys on some of the salt licks, and other choice places, and returned home.

About this time Gen. Thompson, of Pennsylvania, also came to the country, and made an extensive connection of surveys on the north fork of Licking River.

In 1774 other surveyors were sent to the Ohio on the like errand, and pursuing the same rout as those of the preceding year from Virginia, they landed at the Rapids of the Ohio, and thence travelled up the country, on

both sides of the Kentucky River as high as Elkhorn, and Dick's River, making surveys occasionally as they progressed.

There were yet no families moved into the country, nor any permanent residence commenced ; but in the course of this year was a cabin built at Harrodsburgh ; so called from James Harrod, who had led a party of Monongahelians, to that place. At this place, the hunters, and surveyors, occasionally, took refuge, from the inclemency of the weather, or the fury of the Indians.

In this year also open hostilities ensued, between the tribes of Indians on the north-west of the Ohio, and the Virginians. The adverse armies met on the Ohio, at the mouth of the Great Kanhawa ; and after a severe battle which terminated in favor of the Virginians, the Indians fled home, and many of the soldiers, returned to their residence, by the way of Kentucky.

Peace was concluded in the same year ; and the surveyors, who had been recalled from the country, returned with returning peace, and in this, and the next year, completed the execution of their commissions.

In 1775, the people of Virginia, and the neighboring colonies, being much better informed than before, of the country ; and apprehending less danger from the Indians, in consequence of the recent peace, repaired to Kentucky in numerous small parties, for the purpose of selecting tracts for improvement, and future settlement. These improvements were made without intention, of continued occupancy ; and consisted principally, in cutting the under brush, and belting the larger trees—to which was

sometimes added a log pen called a cabin, with open top, or bark cover, as the foundation of future claim. Upon the approach of winter these adventurers generally returned home ; and contributed, by extending information of the country, to rouse up other adventurers, who the next summer made a like visit for like purposes ; and after improving as others had done, returned home.

In 1775, some permanent settlements were however made in the country, particularly at Harrodsburgh, Logans, and a few other places, under the auspices of Virginia ; the adventurers being generally from that colony — besides the settlement at Boonesborough, which was made under the influence of Henderson and company, from North-Carolina.

During the interval between the return of Daniel Boone from Kentucky, and this period, he had not been silent or inactive. The accounts of Kentucky first circulated by Finley and his little party, and authenticated by Boone, through North-Carolina, had excited the attention and awakened the cupidity of Colonel Richard Henderson and others ; who anticipating in imagination the immense riches to be amassed by the acquisition of the country on the south side of the Kentucky River, (then claimed as far as the Tennessee, by the Cherokee Indians, resident within the chartered limits of North-Carolina) and to colour the possession which they contemplated taking of that vast region, determined to become the purchasers from those Indians ; and then to settle the country. For these purposes having associated themselves, and brought about the necessary treaty with

the Indians, the purchase was accordingly made ; a deed executed ; and in the same year possession taken ; and Boonesborough built :—Naming the place after Daniel Boone, who had been the principal, but not the first harbinger of the new world ; the agent in purchasing the country from the Indians ; and the leader of the first colony to the Banks of Kentucky.

Henderson and his associates now considering themselves the proprietors of this spacious territory, opened an office for selling out the land to purchasers, to whom they proposed making deeds, by virtue of their Indian title.

Whether the gentlemen of this association were ignorant of the Virginia charter ; or supposed it gave no preemptive right to the purchase of these lands from the Indians ; or whether they were encouraged in this act of aggression, on the sovereignty of the colony, by the increased difficulties, and beginning war, between Great-Britain, and her American colonies, is not certainly known. But whatever were the principles upon which they reconciled these transactions to themselves, or expected to justify them to the world, they seemed determined to persevere, and actually made several deeds to private purchasers.

The most flattering prospects of wealth and power, now presented themselves to the associates, when an account of their proceedings was transmitted to Virginia, and gave rise to rumors, and murmurs, of the most inauspicious nature.

Virginia hitherto, under some restrictions from the Crown of Great Britain, as to her western territory ; or

occupied by the momentous contest then existing, between the mother country, and her colonies, on the subject of taxation, had paid but little attention, to Kentucky, so late the residence only of wild beasts—or the resort of Indians, still more wild, and untractable. The next year however changed the state of the case. In this year Congress, having adopted the Declaration of Independence, Virginia took the decided attitude of a free, independent, and sovereign state; formed a constitution of government—and asserted her territorial rights to be co-extensive with the limits of her royal and colonial charter of the 23d of May, 1609, by the King of Great-Britain. Within these chartered limits, which extended from the Atlantic, to the Pacific Ocean, she asserted the exclusive right of purchasing the soil from the aborigines.

In pursuance of these principles, the Legislature of Virginia, afterwards declared the purchase made by Henderson and company, utterly null and void, as it related to them, but effectual as to the extinction of the Indian title, which consequently devolved on the state; in whom vested the paramount title, and prior right of purchase from the Indians.

Thus vanished the golden dream of Col. Henderson, and his speculating associates: And an incalculable fund of future wealth, power, and dominion, was acquired to the commonwealth, without any advance of money, or exertion of physical force on her part.

Henderson, and his associates were however deemed worthy of compensation, and a tract of two hundred

thousand acres of the same land was assigned to them, at the Mouth of Green River.

With this grant the associates became satisfied ; and the settlers under them, in the other parts of the country, universally acquiescing in the authority of Virginia ; they all henceforth looked up to her for their titles, and protection.

In the interim the Legislature of Virginia also confirmed a purchase made by Col. Donaldson, of the country on the north side of the Kentucky River, from the six nations ; which for a time had been providently slighted.

Thus was the Indian title to the whole of the country north of Tennessee, extinguished by purchase ; which reconciled the demands of justice, with the dictates of sound policy on the part of Virginia—who now stood high, in the estimation of her sister states, for patriotism, for talents—for population—and for riches : extending her territorial dominion, and settlements, to the Ohio, eight hundred miles west of the Atlantic Ocean.

CHAP.

CHAPTER II.

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A ROAD sufficient for the passage of pack-horses in single file, having been opened from the settlements on Holston, to Kentucky, by Daniel Boone; it was soon after trodden by other adventurers, with families.

On the opposite side of the country, the river Ohio, opened an avenue of easy access, to emigrants; while the points at the mouth of Limestone, now, MAYSVILLE, and at the mouth of Beargrass, now, LOUISVILLE, were selected as landing places. Both ways,

were infested by Indians, and rendered dangerous to travellers. During the year 1775, Boonesborough, and Harrodsburgh, were places of general rendezvous, and it is believed, the only places of safety for residents, and travellers, to be found in the country. Nor were these safe beyond the walls of their respective forts. If other settlements were permitted to exist, it was more owing to their obscurity, than to their strength.

About the month of September in this year, Harrodsburgh became the residence of several females, and some children; from this period we date the permanent settlement of this place. And are enabled to name Mrs. M'Gary, Mrs. Denton, and Mrs. Hogan, as the first white women who made their appearance in this new settlement, with their husbands and families. Other families soon followed, and the social virtues found an other asylum in the midst of a savage wilderness.

In December, one man was killed at Boonesborough, by the Indians, whose sign was frequently observed, by the hunters in different parts of the country.

In the latter end of this year, or early in 1776, Colonel Richard Calloway, removed his family, accompanied by some others to Boonesborough.

March 1776 Benjamin Logan, moved Mrs. Logan and the residue of his family from Holston to his Kentucky settlement; from which however he prudently sought a temporary safety in Harrodsburgh. On the 14th of July, 1776, one of Daniel Boone's daughters, and two of the Miss Calloways, amusing themselves on the outside of the fort, were surprised by a party of Indians,

lying in ambush, and carried away prisoners. The alarm was immediately given ; and Daniel Boone collecting a party of eight men, pursued the Indians with the utmost dispatch. Such however was their celerity, that they were not overtaken, until the 16th, when two of them were killed, and the girls rescued, without injury.

Soon after this occurrence, it was ascertained, that a host of savages had come into the country with hostile intentions ; and the better to effectuate these, according to their mode of warfare, had dispersed into smaller bands, and at the same time, infested the different stations in the country ; some of which had been recently erected. The Indian manner of besieging a place is somewhat singular ; and will appear novel to those who have derived their ideas of a siege, from the tactics of regular armies ; it is such however as the most profound reflection, or acute practical observation, operating upon existing circumstances, would dictate, or approve. They have neither cannon, nor battering engines : nor have they yet learnt the use of the scaling-ladder. Besides, caution in war, is even more inculcated than courage. To secure himself, and kill his enemy, is the first object with the Indian warrior. This sentiment is common to all the tribes ; and their practice is conformable to its utmost extent ; with the exceptions incident to general rules. The Indians in besieging any place, are seldom seen in force upon any quarter ; but dispersed, and acting individually, or in small parties, they conceal themselves, in the bushes, or behind trees, or the stumps of trees ; or waylay the path, or field, and other

places, to which their enemies resort : and when one, or more, can be taken down, in their opinion, they fire their gun, or let fly their arrow ; if necessary they retreat ; if they dare, they advance upon their adversary, and make him prisoner, or take his scalp, if possible. They cut off the garrison supplies, by killing the cattle ; and they watch the watering places, for those who go for that article of primary necessity ; that they may by these means reduce the place to their possession, or destroy its garrison, in detail. In the night, they will place themselves, near the fort-gates, ready to sacrifice the first person who shall appear in the morning ; in the day, if there be any cover, such as grass, a bush, a large clod of earth, or a stone as big as a bushel, they will avail themselves of it, to approach the fort, by slipping forward on their bellies, within gun-shot ; and whosoever appears, gets the fire, while they retreat behind the smok of the powder. At other times, they approach the walls, or palisades, with the utmost audacity, and attempt to fire them, or beat down the gate. They draw out the garrison by a false alarm on the one side of the fort, and enter it by surprise on the other.

And when their stock of provision, which is always individual, is exhausted, they supply themselves by hunting, and again return to the siege.

Such was the enemy, who infested Kentucky, and with whom early settlers, had to combat. In the fight, they were brave ; in defeat, they were dexterous ; in victory, they were cruel. Neither sex, nor age, were exempted from their tomahawk, or scalping knife.

They saw their perpetual enemy, taking possession of their HUNTING GROUND ; and they were determined to dispute it, by a resort to their utmost resources. Had they possessed the skill, which combines individual effort, with a concerted attack ; and had they directed their whole force against each of the forts, in succession, instead of dissipating their strength by attacking all, at the same time, they could easily have rid Kentucky of its new inhabitants ; and again restored it to the buffaloe, and the Indian : the wild game, and its red hunters. But it was otherwise ; and after inflicting great distress on the settlers, without being able to take any of the forts, the approach of winter dispersed them ; but not till they had killed sundry persons ; and destroyed most of the cattle around the stations.

The settlers in the mean time, acquired fortitude, and dexterity, in proportion to the occasional pressure. The Indians were obliged to retire into the woods, sometimes in search of provisions, sometimes as to a place of safety : and generally by night they withdrew to a distance ; in these intervals the white men would plough their corn, or gather their crop, or get up their cattle, or hunt the deer, the bear, and the buffaloe. In travelling, they left the paths ; and they frequently employed the night, to go out from, or return to, the garrison. They often exchanged shot with the Indians ; and sometimes when they came in, on one side of the fort, the enemy were on the other.

Notwithstanding these difficulties, and dangers, Kentucky was visited by many persons, in small parties,

who came to improve lands, with a view of future settlement. And it would seem from a review of the records on this subject, that there were more of those improvements made in 1776, than in any other year. The country was extensive; these improving parties by being dispersed, and transitory, presented no certain object to the Indians, and hence were in less danger, and in fact, less annoyed, than those who were about the garrisons. They however did not always escape; but frequently were fired on; sometimes by resistance they kept their ground; and sometimes were forced to fly for safety to the garrisons; or to the strong camps; of which there were several in the country.

In the year now immediately under consideration (1776) George Rogers Clark, who will hereafter occupy a distinguished place in this history, was in Kentucky; and made himself extensively acquainted with the country; without confining his residence to any particular garrison.

It is a fact worthy of notice that in the summer of 1776 Captain John Haggin, lived for sometime in a single cabin on Hinkston's fork of Licking; which has been so denominated; from Captain John Hinkston, who as the leader of a party of improvers in 1775, had his camp on the northern bank.

In the fall of the year the transitory improvers, generally returned home, and as was natural, by disseminating their hopes and fears, among their fellow-citizens, excited, particularly in Virginia, where most of them resided, a strong interest in favor of Kentucky.

And when the Legislature assembled in the autumn of that year, such was the importance of Kentucky, and such the disposition of Virginia to accommodate the people of this remote part of the county of Fincastle, with the benefits of civil and military organization, that its southwestern part was erected into a separate county, by the name of Kentucky ; “ lying south and westward of a line beginning on the Ohio, at the mouth of Great Sandy Creek, and running up the same and the main or northeasterly branch thereof, to the Great Laurel Ridge, or Cumberland Mountain ; thence southwesterly along the said Mountain, to the line of North-Carolina.” This may be considered an important event in the political condition of the Kentucky settlers. As a part of Fincastle county, they had in fact, no part, or lot, in the state representation, but composing a separate county, they were by the Constitution of Virginia, thenceforth entitled to two Representatives, in the Legislature ; to have a court of civil jurisdiction in law, and equity—Justices of the Peace, Militia Officers—Sheriff, Coroner, and Surveyor—In fine, to be a civil, and military, municipality, or corporation ; with powers competent to their own government, agreeably to the general laws of the Commonwealth.

LEESTOWN, so called, after Willis Lee, who was killed by the Indians, situated on the north bank of the Kentucky River, about one mile below, where Frankfort now stands, was in this year a place of general rendezvous, for the hunters and improvers, on the north side of Kentucky ; at which, several cabins were built, but

not in the order of a fort. There were some others on the same side of the river, but of inferior note; and not being able to withstand the attacks of the Indians, the whole were broken up, and abandoned.

The year 1777, realised all the advantages to be derived from the late change of political situation as far as circumstances would admit. The new county received both its civil, and military organization. A Court of Justice, one of the most important acquisitions of civilization, possessing both common law, and chancery jurisdiction, was opened, quarter-yearly, at Harrodsburgh; and was composed of six or eight, of the most respectable for literary information, of the citizens, who had been commissioned by the Governor, as Justices of the Peace; and who could moreover hold monthly courts, for the dispatch of ordinary business. Among them is recollected the names of John Floyd, John Bowman, Benjamin Logan, and John Todd. They were attended by the Sheriff of the county, who had also been commissioned by the Governor. And they appointed Levi Todd for their Clerk. The Governor had also commissioned, the requisite officers for the militia; while the county, in effect a colony of Virginia, assumed the appearance of an infant Commonwealth: whose military operations were under the controul of a County Lieutenant, with the rank of Colonel; his name at this time is not recollected with certainty; but is believed to have been Todd, or Bowman.

The return of spring as usual, brought out the Indians whom no laws but those of force, could restrain.

Early in this year Benjamin Logan, made up a small party, and returned to his own station; which he improved, and strengthened for defensive purposes.

Much as the Indians were in the country, they seem to have made no serious attempt on Harrodsburgh, until the month of March. This place from the time of settlement, had usually been the strongest in the country; but this spring a number of the men had left it, and on the sixth, a large party of Indians, having marched through the woods with great privacy, surprised a small company of improvers, at a new settlement about four miles from Harrodsburgh, on their way to that place. This company consisted of the present General James Ray, then about fifteen years of age, a brother of his, who was killed; and one other man, who was taken prisoner. The fortunate escape of James Ray, was the probable cause of saving Harrodsburgh from a like surprise, and a similar catastrophe; he ran with all possible speed to town, and gave the alarm.

The Indians, aware of the intelligence which would of course be given to the garrison by the man who had escaped them, or from some superstitious impression, seem to have checked their march! for they did not reach Harrodsburgh until the next day. In the mean time the men were collected, and the place put in the best state of defence, which the circumstances would admit.

On the 7th, Harrodsburgh was invested by the savage army, in the manner of an Indian siege. Many shot were exchanged in the course of the day; and some

execution done on both sides. The Indians left one of their dead on the field ; a circumstance indicating great discomfiture on their part, or great rashness on the part of the slain. For as we have before observed, their custom was to remove from the field of battle, both their killed and wounded. But the deceased might have lost his life, where his comrades would not risk theirs.

On the part of the garrison, four men were wounded—among them was the late Colonel M'Gary ; one only of them died ; the rest recovered.

We delight not in depicting distress ; nor in painting the alarm of women and children ; these are scenes which necessarily occur in cases like the present ; and may be always left by the writer, to the native humanity, and sensibility of the reader.

The Indians, wholly unskilled in the civilized arts of besieging places, and destitute of that open, daring, and disciplined, firmness, necessary to storm fortified places, or even blockade forts—having first failed to surprise, and now despairing of success, retired from before Harrodsburgh, into the adjoining forest ; which served them for a cover ; and contained their needful supply of game for food.

Adjoining the forts, the men cleared the fields, in which they planted corn, and other vegetables, for the garrison supply—some kept guard, while others labored.

The 15th of April, a party of these savages, to the number of one hundred, surrounded Boonesborough : An attack was soon commenced with small arms, and hand-bows ; and returned with spirit by the people in

the fort. The Indians finding so warm a reception, soon disappeared ; having killed one man, and wounded four others, in the fort ; and carefully removed all their own killed and wounded, so that their loss could not be ascertained.

On the 4th of the July following, Boonesborough was again besieged, by a party of two hundred of these red warriors, apparently the more determined, as their numbers were increased ; and the more certainly to insure success, they had sent detachments to alarm and annoy the other neighboring forts, to prevent their sending assistance to Boonesborough. In the attack at this time, the Indians killed one man, and wounded two ; with the loss of seven men killed on their part, which were distinctly counted from the fort, but removed, as is their custom. After a close and vigorous siege for two days, and nights, in which the utmost vigilance and fortitude were displayed on the part of the garrison, the Indians, despairing of success, tumultuously departed, and disappeared, concealed by the forest.

On the twentieth day of this month, Benjamin Logan's fort was besieged, by the same number, and probably, by many of the same Indians who had recently invested Boonesborough. The garrison at that time consisted of fifteen men only, of whom two were killed, and one other wounded—This fort stood near to the place, where Stanford now stands ; about equi-distant from Boonesborough, and Harrodsburgh ; the only forts at that time in the country, from which any assistance could be expected—And the Indians had taken care at

the same time, to keep these alarmed ; and whose garrisons were but weak, compared to the host of savages, then in the country.

At Harrodsburgh, there were sixty-five men ; at Boonesborough, twenty-two ; at Logan's fort, fifteen ;—while it is probable there were at least, three hundred Indians in the country.

These were alarming, and calamitous times—The little garrison in Logan's fort, suffered extremely ; but aided, by Logan, and encouraged by his example, they would not complain, much less, despair. Very fortunately for them, relief was approaching, from a distant quarter, whence they had not so soon expected it. On the 25th of the same month, a party, from North-Carolina, consisting of forty-five men, arrived in the country, but went to Boonesborough. And about the 20th of the August following, Colonel John Bowman came, with 100 men, from Virginia. These halted at Logan's, where a part staid, the others proceeded to Harrodsburgh. Reinforcements, appearing so opportunely, were like a message from Heaven, to the hearts of the different garrisons ; but to no other, was their arrival so momentous, as to that of Logan's fort. The siege was raised on their arrival ; the people were permitted once more to take their chance in the open country, where they were ever on the watch, and as likely to see the Indian first, as to be seen by him ; for the first sight was equivalent to the first shot, and the most expert marksman, had the best security for his life. In the latter part of the summer, a party of men came to Logan's with a Mr. Montgomery. The Indi-

ans remained in the country during the autumn of this year; and the white people, now thinking themselves strong enough to face them any where, hunted, or pursued them throughout the woods, as they did the wild game; and for six weeks, hardly a day passed without a shot from one or the other side; and frequently, smart skirmishes ensued, with various success; but generally to the disadvantage of the savages.

They had been accustomed to call the Virginians, LONG KNIFE; and they found to their cost, that they were CLOSE SHOOTERS. They began to be shy of the garrisons, and even in the woods, took some precautions, to avoid rencounters, with equal numbers.

The face of affairs assumed a new aspect, and the enemy, not daring to venture on open war; resorted to their usual practice of secret mischief. The winter, with her icy train come on, and the Indians for a while disappeared.

Having ascertained the commencement of several permanent settlements in Kentucky, and given the general history of Indian warfare, in the infancy of these settlements; it will not be considered as deviating from the utility, or dignity of history, should we now pay a more particular attention, to those men, by whom the first families were led into the wilderness; the first towns built; or other establishments made in the birth of the population of the country.

What eloquence is to rhetoric; what religion is to morality; what piety is to virtue; such is Biography, to History. It gives life, and action to narrative; it

gives soul, and body, to the agency of events ; it makes up a whole, with assorted and appropriate parts ; it fills the scene with actors in their proper persons ; it presents beings of our own species for imitation, or reprehension ; it adds example to precept, sentiment to feeling, and vivacity to manners—in fine, it completes a work, otherwise defective : while it places upon the permanent pedestal of historical statuary, the picture “ large as life,” of the hero who fought in the defence of his country ; and of the Legislator, who devised, systems of jurisprudence, for its peace, and for its prosperity.

It may also hold up for public derision, the timid, or unskilful commander ; the selfish politician, and the assumed patriot : or offer on the altar of popular justice, for full and free execration and contempt, the official hypocrite, and the faithless public servant. One sentiment should be forever inculcated, that TO BE GREAT, IS TO BE USEFUL—AND THAT TO BE USEFUL, IS TO BE VIRTUOUS. While the faithful record of virtuous actions gives to history its strongest recommendation, and its best effect ; because to the motives which it holds out for laudable imitation, it adds the pleasing anticipation of merit, however humble, receiving its just reward. Make it also the record of vicious actions, give these in their proper coloring to the review of posterity, and to the abhorrence, and detestation of the virtuous, and the wise, and the sentiment of patriotism becomes fortified, by the emotions of hope, and fear, and by the sensations of pleasure, and pain ; among the most operative of human motives, to action.

Man sympathises with the objects around him, and in proportion to their distance, or approach, is his sensibility affected. It is undoubtedly this principle in physicks which has drawn from us these preliminary effusions to the intended biography of Boone, Harrod, and Logan, as our hand touched the pen to begin the draft ; or more poetically, the pencil, to commence the portrait.

These will be first in Kentucky Biography, as they were most prominent in effecting her early settlements ; and others, will take *their* places, in due order of time and events.

On the list of early and meritorious adventurers, the name of Daniel Boone, James Harrod, and Benjamin Logan, stand conspicuous ; where many others also merit, to be inscribed on the historic page.

It is not with, a CADMUS, a SOLON, or a ROMULUS, that we shall compare these men ; they lived at periods immensely remote from our time, and in countries equally distant from Kentucky ; with their contemporaries, these should be compared.

DANIEL BOONE, did not like MOSES, find himself the leader of an host of armed followers, impelled by the fear, or the love, of the Lord, to obey his commands, in a journey through the wilderness. His followers, were his voluntary comrades ; and the source of his authority, was the affection they bore him, and the confidence they had in his sagacity, and fortitude. Besides, the names of those legislators, and heroes, of antiquity, have been transmitted to us, by the pens of profane historians, or poets ; who availing them-

selves of the fictions of past time, have amplified and embellished, their subjects, with all the inventions of genius, and all the graces of oratory, and of poetry ; or else, under the influence of Divine inspiration, the *prophet* has astonished us with the wondrous miracles which he wrought, and afterwards recorded, for the admiration of posterity.

But Daniel Boone, is still living, *banished by difficulties he knew not how to surmount*—and yet but little known to fame. Nor will the lapse of time, nor the rigid rules of faithful history, permit the aid of imagination, to magnify his name, or to adorn a narrative of simple facts.

DANIEL BOONE, now an obscure resident in the forests of Louisiana, old, and needy, was a native of Virginia. More of a Nimrod, than a Joshua, he hunted the wild game ; and found out the place for the city, which he built, and peopled, before he ruled.

From his infancy, Daniel Boone, discovered, a predilection for hunting, and ranging the uncultivated parts of the country. And to this disposition, may be ascribed his removal from his native place to North-Carolina, then recently settled where he went, and abounding with wild game, of different kinds.

Without the incumbrance of worldly goods to give him local attachments ; and without the illumination of science to make him shine in society ; at the age of manhood, he found himself possessed of high health, and a vigorous constitution ; supported by great muscular strength, and nervous activity. He delighted to chase

the wild deer : and this propensity often led him to places remote from the habitations of men. Accustomed to be much alone, he acquired the habit of contemplation, and of self-possession. His mind was not of the most ardent kind ; nor does he ever seem to have sought knowledge, through the medium of books. His natural sagacity was considerable : and as a woodsman, he was soon expert, and ultimately supereminent. Far from being ferocious, his disposition was mild, humane, and charitable ; his temper conciliating, kind and hospitable ! Yet his most remarkable quality, was an induring, and unshaken fortitude. He was a man of the most undoubted courage—cool, temperate, and firm : yet of the most inoffensive deportment.—For seven years his life was that of a soldier in fact, and every summer, to him an active campaign. Such was the confidence and esteem of his fellow-citizens, that he was raised by intermediate grades, to the rank of Colonel in the militia ; and several times elected a member to the Legislature, although quite illiterate ; purely as a reward for his personal merit.

Private, as is, the present condition of Daniel Boone ; far, as he is removed from Kentucky ; now feeble and verging to the grave ; we who once knew him, *as the right arm* of an infant, and feeble settlement, may be permitted, to indulge an expression of our sense of his merits, without incurring the imputation of flattery, or the more laudable desire to please. We owe that expression in a work of this kind, to our idea, of private justice, and to our opinion of PUBLIC UTILITY. And such is our perception of the perils, labours, and difficul-

ties, encountered by Daniel Boone, in discovering, and exploring the different parts of the country; and in effecting its settlement; that the history we have undertaken to write, would in our judgment, be imperfect without this biographical sketch.

In proportion then, to the interest, which every citizen of Kentucky, can but feel in the events to which the enterprising spirit of Daniel Boone contributed; we shall be indulged in paying this debt of gratitude—this tribute to merit; by attempting to set his name in its right place, and true light, on the fair page of Kentucky history.

It was on the first of May, 1769, that Daniel Boone, then the father of a family, made a temporary resignation of his domestic happiness, to wander through the rough and savage wilderness bordering on the Cumberland Mountains—in quest of the fair-famed, but little known country of Kentucky. In this tour he was accompanied by John Finley, John Stewart, Joseph Holden, Wm. Coole, and James Monay. On the 7th of June following, after a journey of great labor and fatigue, through a mountainous country, of one hundred and fifty miles in extent, and without a path to guide them, they arrived on Red River, north of the Kentucky, where John Finley, had formerly been, as an Indian trader. Here the party determined to take some repose, and made themselves a shelter of bark, to cover their heads from the occasional showers of the day, and the cold dews of night. It was in his excursion from this camp, that Daniel Boone first saw with wonder the beauties, and

inhaled with delight the odours of a Kentucky summer. It was also in one of his peregrinations from a second camp, that he and John Stewart, rising the top of a hill, encountered a host of savages.

They made Boone and his companion prisoners, and plundered them of what supplies they had. Seven days were they detained in custody, by these Indians, nor had they a prospect of voluntary discharge, when as a consequence of their well dissembled contentment, the captors without a guard on their prisoners, resigned themselves to sleep, and they made their escape. Boone, and his companion, returned to their camp, found it plundered; and the residue of the party having been driven from it, had fled the country, to their former habitations—whither Daniel Boone, and his fellow-wanderer, must soon have followed, or perished, had not Squire Boone, the brother of Daniel, pursuing their tract from North-Carolina, come up with them about this time, and furnished them a few necessaries.

Soon after this period, John Stewart was killed by the Indians; and the two Boones, remained, the only white men, in the wilderness of Kentucky. The winter succeeding they continued in the country, the only tenants of a cabin, which they erected to shelter themselves from the cold.

The death of John Stewart, being the first that was perpetrated by the Indians in Kentucky, on the white adventurers, deserves to be particularly commemorated. Upon this subject, but few facts have come to our knowledge. It was in 1769, after Squire Boone had joined

his brother Daniel and John Stewart, who had recently been prisoners with the Indians, that those savages becoming more hostile to the white men, had recourse to death, instead of bondage, as the surer method of getting rid of their new rivals, in the avocation of hunting.

As Daniel Boone, and his little band were traversing the forest, then depositing its leaves on the earth, and preparing to expose only its hardier parts to the approaching winter, they were suddenly met, on the side of a Cane-Break, and immediately fired on, by a superior party of Indians. John Stewart received a mortal wound, and fell; and his companions, incapable of assisting him, reluctantly fled. An Indian, as their custom was, rushed upon Stewart, and with one hand wound in the hair of his head, and the other grasping a knife, took his scalp, which left bare his skull.

Many times, and at divers places, was this savage scene repeated on the heads of our adventurous countrymen; and well did they repay their enemy, “in their own coin,” at as many places, and as often: As in the sequel will be shewn.

But this is man’s characteristic—he will do unto others, as they do unto him. And it is owing to a refined benevolence, or to a Christian precept, that he is taught otherwise. For it is a fact that may be committed to history, that white men in their wars against the Indians, became themselves Indians in practice; and did those things, without remorse, of which in other cases, they would be ashamed, and repent.

In May 1770, Squire Boone returned home, leaving Daniel without bread, or salt ; and not even a dog to keep his hut. Never was man in greater need of philosophy to sustain his reflections ; nor ever were reflections more philosophical than those of Daniel Boone. He cast his eyes towards the residence of a family ever dear to him—he felt the pang which absence gave—he heaved the sigh which nature prompted—his mind was beset with apprehensions of various dangers—despondence was ready to seize on his soul : when grasping his gun, and turning from his camp, he reflected that Providence had never yet forsaken him ; nor thought he, will I doubt its beneficence. No man have I injured—why should I fear injury from any ? I shall yet see my family, and the joy of the meeting, will repay all this pain. By this time, he had advanced some distance into the wood, and gained an eminence, whence looking round with astonishment ; on the one hand, he beheld the ample plane, the beauteous tracts which lay before him ; on the other, surveyed the river Ohio, which rolled in silent dignity, marking the western boundary of Kentucky, with equal precision and grandeur. The chirping of the birds solaced his ears with music ; the numerous deer, and buffaloe, which passed him in review, gave dumb assurance that he was in the midst of plenty—and cheerfulness, once more possessed his mind. Thus in a second paradise, another Adam was seen, giving names to springs, to rivers, and to places, before unknown to civilized man.

In July of that year Squire Boone, returned, as it had been agreed ; and a meeting was effected between the brothers at the old camp. The two, in this year, traversed the country to the Cumberland River ; and in 1771, returned to their families, determined to remove them to Kentucky.

In 1773, about the month of September, Daniel Boone sold his farm on the Yadkin, bade farewell to his less adventurous neighbors, and commenced his removal to Kentucky, with his own, and five other families. In Powel's Valley, he was joined by forty men, willing to risque themselves under his guidance. The party were proceeding in fine spirits, when on the 10th of October, the rear of the company was attacked by a strong party of Indians, who killed six of the men ; and among them the eldest son of Daniel Boone. The Indians were repulsed, and fled ; but in the mean time the cattle appertaining to the sojourning party were dispersed ; the relatives of the deceased greatly affected ; and the whole of the survivors, so disheartened, that it was thought best and most prudent, to retreat to the settlements on Clinch River, about forty miles from the scene of action.

This being accomplished without any further disaster, Daniel Boone remained with his family until June 1774. When he was solicited by the Governor of Virginia, to repair to the Rapids of the Ohio, to conduct from thence a party of surveyors, whose longer stay, was rendered peculiarly dangerous, by the increasing hostility of the Indians. This service was undertaken by Boone, who with Michael Stoner, as his only companion, traversed

the pathless regions between—reached the place of destination with great celerity, and thence safely conducted the surveyors home—Having in the short space of sixty-two days, completed a tour of eight hundred miles on foot.

This year, there were open hostilities between the Virginians, and the Indians, northwest of the Ohio. Daniel Boone, being then in Virginia, was ordered by the Governor to take the command of three contiguous garrisons on the frontier, with the commission of Captain. The campaign of that year, after a battle terminated in peace, and the militia were discharged from the garrisons. Capt. Boone being now at leisure; and Col. Henderson and company, of North-Carolina, having matured their project of purchasing the lands on the south side of the Kentucky, from the southern Indians, he was solicited by them, to attend the treaty proposed to be held at Wataga, in March 1775; and to negotiate and conclude a purchase of the country south of Kentucky River, the bounds of which were described to him. This service was accepted, and executed by Boone—who soon afterwards, at the request of the same company, undertook to make a road, from the settlements on Holston to the Kentucky River, by the best practicable route. This duty was also performed with great promptitude, and despatch, notwithstanding the ruggedness of the way, and the repeated attacks of the Indians, in which Boone had four of his men killed, and five wounded. Arrived on the southern bank of the Kentucky, in the first of April 1775, Boone with the survivors of his party

began to erect a fort at a salt-spring, where Boonesborough now stands. While building this fort, which employed the feeble party till the succeeding June, one man was killed by the Indians, who continued to infest the party, until the fort was completed.

This fort, consisted of a block-house, and several cabins, enclosed with palisades. This being done, Capt. Boone returned to Clinch River, and soon after moved his family to the first garrison in the country, as his wife and daughter were the first white women, ever known in Kentucky.

Capt. Boone, having given to the new population of Kentucky, a permanent establishment, and placed his own family in Boonesborough; felt all the solicitude incident, to his situation, to insure its defence, and to promote its prosperity. We find him in 1776 pursuing with eight men only, a party of Indians, who had made several prisoners at Boonesborough, and gallantly rescuing them from captivity.

In 1777, he sustained two sieges in Boonesborough, with all the determined firmness of inherent courage, and all the vigilance of an active, and enterprising officer.

It would be unnecessary, were it practical to particularise, the assistance which he gave to emigrants, either on the road, or after their arrival, when the activity of his zeal, and the humanity of his character, are recollected, and duly appreciated. Suffice it to say that he was accustomed to range the country as a hunter, and as a spy; and that he frequently, would meet the

approaching travellers on the road, and protect, or assist them into the settled parts of the country.

Capt. Boone relieved from one kind of service, was ever ready to engage in another for the relief of the garrisons, or the service of the country—on the first of January, 1778, he, with thirty men went to the Blue Licks, on Licking River, to make salt for the different garrisons in the country; who were now in great want of that article, without the prospect of supply from abroad.

On the 7th of February following, as Capt. Boone was out hunting meat for the salt-makers, he met with a detachment of one hundred and two Indians, on its march to attack Boonesborough: That being a particular object of Indian resentment, and hostility; probably on account of its being the first settlement, made in the country, by “the white intruders,” as the Indians would naturally call them. At this time they wanted a prisoner, from whom to obtain intelligence; and while Boone fled, some of their swiftest warriors, pursued, and took him. After eight days, they brought him to the Licks, where they made twenty-seven of his men prisoners, by previous capitulation; in which they promised life, and good treatment. The other three men, had been sent home, with the salt, which had been made.

The Indians were faithful to their engagements, and treated the prisoners well, as savages could, both in their journey, and after their arrival at their town, of Chillicothe, on the Little Miami. They were three days in

making this march, through the woods, in cold, bad, weather. Thus were twenty-eight of the brave defenders of the country carried captive into the enemies' towns; without a prospect of liberation, or exchange.

A SPARTAN, would have consoled himself, that by the sacrifice of his own liberty, he had saved his country; nor were these prisoners less patriotic, than Spartans. Had the Indians, after making Capt. Boone, and his party prisoners, instead of returning home with their captives, continued their march to Boonesborough, they might either have taken the place by surprise; or using the influence which the possession of these prisoners gave them, might have compelled, a surrender of the fort: and progressively acting on the same plan, it is not improbable, they might have reduced every garrison in the country: for it is hardly presumable, that any, which had escaped surprise, would have permitted, the massacre of the prisoners in their view, rather than have surrendered. But owing to the address of Capt. Boone, or the habits of their country, having succeeded to so great an extent in capturing their enemies without loss on their part, they returned home; leaving the garrisons in safety, to deplore the loss of their unfortunate comrades, who had thus been captured, on an enterprise, undertaken for their mutual benefit.

In the month of March following, Capt. Boone, and ten of his men, were conducted by forty Indians, to Detroit, where the escort arrived the thirtieth, and presented the ten men to Governor Hamilton, the Bri-

tish commandant at that post ; who treated them with great humanity and civility.

In the course of this time, the Indians had conceived an uncommon respect, and affection for Capt. Boone : and utterly refused to leave him with the Governor, who offered them one hundred pounds sterling for their prisoner, on purpose to liberate him, on parole. It is more easy to conceive than express, the vexation and embarrassment, which these circumstances occasioned to Capt. Boone ; he could not extricate himself ; and he dared not to excite the jealousy, or suspicion of the Indians. Several English gentlemen present, sensibly affected by his situation, generously offered a supply to his want of necessaries, and conveniences ; but which he with thanks for their friendship, declined ; alledging that it might never be in his power to requite, such unmerited generosity.

Another event now approached, which put the sensibility of Capt. Boone, to a severe trial. He was told by his inflexible conquerors, that he must prepare to accompany them back to Chilicothe, while his ten faithful companions were to be left prisoners at Detroit.

This journey was soon afterwards undertaken, and performed in fifteen days. At Chilicothe, Capt. Boone was adopted into one of the principal families, as a son ; and judiciously accommodating himself to his situation, increased the confidence and affection of his new relatives, and old friends.

They challenged him to the shooting match, in which he found it more difficult to avoid their jealousy,

and to suppress their envy, than to beat them at an exercise, in which they thought themselves invincible. They invited him to accompany them on hunting parties, and frequently applauded his dexterity in killing the wild game. The Shawanese King, took particular notice of him, and always treated him with the most profound respect. While Boone on his part, took care to improve these favorable impressions, by frequently bestowing on him the spoils of the woods, and otherwise expressing duty to him, as THE KING. If Capt. Boone, could have dispensed with the beneficial ideas of civilization ; and if he could have eradicated from his heart, the affections of an husband, and a father, his condition among these savages, would have been as contented to himself, as it was enviable to most of them. But he had a wife, and family ; and he had a country, and companions, of his former labors and perils, for whom he felt the utmost anxiety. The indulgencies which were now extended to him, fostered the idea of escape, which he continually meditated. And thus was the honest simplicity of his nature, compelled to dissemble the main purpose of his heart, under the smiles and caresses, which he bestowed on, or received from those, whom he meant to desert, on the first fair occasion.

The first of June in that year, a party of these Indians set out for the Sciota Salt Licks, and took Boone with them, in order to make salt. After effecting this object, they returned to Chilicothe, without affording to their prisoner a suitable opportunity for escape.

He there found four hundred and fifty Indian warriors, armed, and painted, in a most fearful manner ; ready to march against Boonesborough. For once he derived pleasure from his captivity, as it possessed him of information, which he determined by immediate escape, to convey to his garrison ; and which might save it from destruction.

On the sixteenth of the same month, Capt. Boone, at the usual time of hunting in the morning, arose, and departed apparently for the woods, but really for Boonesborough ; which he reached on the twentieth, by a journey of one hundred and sixty miles ; during which he eat one meal of victuals.

He found the fortress in a bad state for defence ; but the intelligence which he brought, and the activity, which he inspired, soon produced the necessary repairs, and the garrison began to wait with impatience, the reception of intelligence from the enemy : when at length, one of the other prisoners, escaping from them, arrived with information, that the Indians had, on account of Boone's escape from them, postponed their march for three weeks. In the mean time, however, it was discovered they had their spies in the country, watching the movements of the different garrisons ; and whatever was their report, but little consolation was derived from the increase of strength to the forts, and of numbers to the garrisons, of the country in general, and of Boonesborough, in particular.

The enemy still delaying their meditated attack on Boonesborough ; Capt. Boone, with a party of nineteen men, left the garrison on the first of August, with a view

to surprise Paint Creek Town, on Sciota. Advanced within four miles of the town, Capt. Boone, met a party of thirty Indians, on their march to join the grand army, from Chillicothe, then moving towards Boonesborough. An action ensued between these detachments, which terminated in the flight of the Indians, with one man killed, and two wounded ; without any loss on the part of Boone ; who took three horses, and all the Indian plunder.

Capt. Boone, then despatched two spies, for intelligence, who returned with, a report, that the town was evacuated ; upon which he marched for Boonesborough, with all practicable despatch, that he might gain the van of the enemy's army ; place his party in a state of security ; give timely intelligence to the garrison ; and prepare for the approaching storm. On the sixth day, he passed the Indian army ; and on the seventh, arrived in safety at Boonesborough. On the eighth, the Indians, commanded by Captain Duquense, eleven other Canadian Frenchmen, and some of their own chiefs, invested the place, with British colors flying, at the head of four hundred and fifty painted, savage, warriors.

This was the most formidable force ever arrayed against Boonesborough ; and such, as upon comparison, was calculated to fill the garrison with alarm. But the equanimity of Capt. Boone's temper was but little affected by it ; when he received a summons in the name of his Britannic Majesty, to " surrender the fort." Two day's consideration was requested, and granted. This was an

awful interval. The little garrison was summoned to council. Not fifty men appeared; the case was stated to them—a manly defence, with the chance of success, or of being taken by storm, and devoted to destruction on the one side was presented to their consideration; on the other, a surrender upon articles of capitulation, in which the most favorable terms were, to be made prisoners, and stript of their effects. The deliberation was short; the answer prompt and unanimous; “We are determined to defend our fort as long as a man of us lives.” The garrison then dispersed, to collect their cattle, and horses; which they secured within their walls. And being now prepared for the conflict, and the two days respite expired; Capt. Boone from one of the bastions of the fort, announced to the listening commander of the adverse host, the determination of the garrison; to which he added his own personal thanks, for the notice of their intended attack, and the time allowed for defence. Evident disappointment, was seen to depict itself on the countenance of Duquesne; who however, instead of an immediate attack, in concert with others, formed a scheme to deceive the garrison, by declaring it was their orders from Governor Hamilton, to take the garrison captives, and not to destroy, or rob the people: That if nine of the principal persons in the garrison would come out and treat with them, they would forthwith, depart from the walls of the fort and return peaceibly home, with the prisoners—or liberate them, if they would swear allegiance, and accept of his Britannic Majesty’s protection. This, said Boone,

sounded grateful in our ears, and we agreed to the proposal to treat : but not without strong suspicions of Indian honor. The treaty was opened within sixty yards of the fort-gate and the articles formally digested, and signed, by the parties, in the presence of many Indians ; who were standing about with an unusual appearance of solicitude. But this was the moment for crowning the stratagem, with success. Boone, and his companions, were told by the leaders of the opposite party, that among Indians, it was customary for them upon occasions like the present, to evince the sincerity of their friendship, by two Indians, shaking each white man, by the hand. This was also assented to, and immediately two Indians approached each white man, and taking his hand, instantly grappled him ; with intent to drag him off, a prisoner. On this occasion the defensive instinct, required not to be prompted, by the effect of deliberation ; but each man at the same moment, by an instantaneous effort, extricated himself, and from the midst of hundreds of the savages, who discharged a heavy fire, all escaped into the fort without injury, except one man, who was wounded.

Having failed in this stratagem, the enemy commenced the premeditated attack on the fort which they kept up with little intermission, for nine days : and which was well returned by the garrison, directed by Capt Boone.

In the meantime, the enemy began to undermine the fort, which stood on the bank about sixty yards from the margin of the Kentucky River ; and this new mode of attack may without doubt be ascribed to the Frenchmen,

who were with them. This mine was commenced in the bank of the river, and was discovered by the muddy water, which continued to pass down from the place; indicating the solution of new earth thrown into it. The object of this measure could not be doubted, and Capt. Boone, ordered that a trench should be opened inside of the fort, so as to intersect the subterranean canal of the enemy; and the earth as taken up, was thrown over the fort-walls. By this the enemy were apprised of what was going on, within, and desisted from their mining project. Being now convinced that they could not effect the conquest of the place, by either open force, or secret fraud; and their stock of provisions being nearly exhausted; on the 20th of August they raised the siege, and abandoned the object of their grand expedition; and with it, the last hopes of the campaign.

During this siege, the most formidable that had ever taken place in Kentucky—from the number of Indians, the skill of the commanders, the fierce, and savage countenances of the warriors, made even more dreadful by art, than by nature; the effect of which was augmented ten fold, by the yell, and the war whoop; there were only two men killed in the garrison, and four others wounded. On the part of the savages, they had thirty-seven killed, and many wounded, who were agreeably to custom, immediately removed.

After the siege, the people of the garrison picked up, one hundred and twenty-five pounds weight of bullets, that had fallen on the ground, besides those which stuck in the fort.

This seems to have been the last effort of the Indians, to take Boonesborough. In the autumn of this year Capt. Boone, went to North-Carolina, in pursuit of his wife, who during his captivity, with the Indians, despairing of his return, had removed to her father's house. In 1780, he returned, and re-settled himself at Boonesborough.

Among the hardy sons, of that hardy race of men denominated woodsmen, and hunters, was James Harrod.

We regret that we know so little of him as not to be able to say with certainty whether he was a native of Monongahela, from whence he came to this country. From Kentucky he went home, in 1774, by the mouth of the Great Kanhawa, where he led a party of his followers, to the battle at the Point ; and the next year he returned to Kentucky, and established himself at Harredsburgh.

James Harrod, was a man six feet high, well proportioned, and constructed, for strength and activity. His complexion was dark, his hair, and eyes black ; his countenance animated, his gait firm, his deportment grave ; his conversation easily drawn out, but not often obtruded ; nor could he but imperfectly, read, or write. And it may be asked what there can be in the character of such a man, that merits, the notice of an historian. It is true indeed, that education, enlarges, illuminates, and brings into action, with multiplied advantages, those qualities which nature gives to men. But it cannot be affirmed that education creates any new organ, or faculty of the mind, or gives a quality, not

otherwise inherent. Before the establishment of schools, and before the term education was known ; even before books, or pens, were made, the human heart was the seat of kindness, of generosity, of fortitude, and of magnanimity. The mind of man taught itself justice, and the beneficial effects of doing for others, what was required of them.

Then without knowing how to read, or to write, James Harrod, could be kind and obliging to his fellow-men ; active and brave in their defence ; dexterous in killing game, and liberal in the distribution of his spoil ; he could be expert in the woods, and by his knowledge, guide his followers to their destined point, with equal certainty and safety ; in fine, he could be a Captain, over others as illiterate as himself, and less endowed, with the useful and benevolent qualities of the head, and of the heart—And he was so. He was vigilant, active, and skilful, with his rifle ; with this, he killed the deer, the bear, and the buffaloe—and with this, he was always ready to defend his country, and companions, against the Indians. At Harrodsburgh, news was brought him, that the Indians had surprised a party at a spring four miles hence, and killed a man. “ Boys (says he) let us go and beat the red rascals.” And accordingly he runs at the head of his party. He hears, that a family are in want of meat, he takes up his gun, and repairs to the forest where he kills the necessary supply, and brings it to the cabin-door of the sufferers. A plough horse is in the *range*, and the owner not yet used to the woods, or apprehensive of the danger, attending the research, says

to Harrod, "My horse has not come up, I cannot plough to-day." What kind of horse is yours, enquires he. The answer is given, Harrod disappears—and presently the horse is driven to the man's door. In these traits, we discover not only the character of Harrod, but the circumstances of the country; therefore they merit a place in history. A man may be useful without education; and usefulness, is merit. But a fort was too circumscribed a field, for the active disposition of James Harrod; to breathe the fresh air of the forest; to range the country, and to hunt the wild game; to trap the otter, the beaver, and the wolf, were more congenial to his feelings, and occupied the most of his time. Such however was the importance of his services, and the sense entertained of them by his countrymen, that he was raised to the rank of Colonel in the militia; and was actively engaged, on sundry scouting parties, and several expeditions, against the Indians; in which the dexterity of the woodsman, and the bravery of the soldier, were conspicuous in his conduct. There was no labor too great for his hardihood, no enterprise too daring, for his courage. After the country became extensively populated, and when the husband, and father of a family, and in circumstances to have enjoyed, every social comfort, such was the effect of habit, or of a disposition ever predominant, that Harrod would leave his home and repair to the distant unsettled parts of the country, and remain for weeks at a time, obscured in the forest, or buried amidst the knobs. On one of these excursions, he lost his life; but whether by natu-

ral death, the fangs of wild beasts, or the tomahawk of the savage, is not known. He left one daughter, and with her an ample patrimony, in the rich lands of Kentucky.

If he who leads a party under any description can be said to want ambition, James Harrod seems to have been free from that passion. Simple in his manners, frugal in his diet, independent in his sentiments—open in his councils—complying in his manners—seeming to command, because always foremost in danger, without legal authority and destitute of art, he had a party; because, were even the social principle extinct, yet, when men are surrounded by danger, they seek a leader, to concentrate their force, and direct their enterprise; and this leader is their favorite companion, the man in whose courage and perseverance, they have the greatest confidence.

Had James Harrod lived, he never would have entered into the contests of political intrigue; not merely because he was illiterate, (for we often find that ignorance is no restraint on ambitious designs, only as it amounts to positive incapacity to effect an object) but because he disliked, the task and drudgery of a political partizan; and had never cultivated a disposition for such enterprise. If he ever felt a propensity to be a leader, it was because he saw himself surrounded, by willing friends, whose safety he regarded, and whose obedience was as voluntary, as their affection was spontaneous—beloved, he was obeyed.

Born free, and accustomed to order and controul his own actions, one passion predominated, and that was love of LIBERTY. And what he was himself, he wished every

one else to be. Raised up with the habits of a hunter of the wild game, he sought their haunts, and found more pleasure in pursuing them through the thicket, or alluring them to his trap, than in controlling the actions of beings like himself. His birth, his education, his mode of living, undoubtedly it is, which attaches the Indian to his native forests—and which induces him to remain an Indian, preferring the savage, to the civilized state of human beings.

The love of personal liberty, among the strongest passions known to the human breast, will account for the indefinite, and almost perpetual state, of savage life, from which the American Indians are with so much difficulty reclaimed; for which Harrod languished, and to which he returned, by resorting to the woody wilds, or rugged hills, in pursuit of his favorite objects. But James Harrod, will be remembered, with affection, and regret, by the last of his comrades—and it belongs to the historian to transmit his memorial to posterity. This willing task is ours—and this imperfect sketch, the monument we raise to his memory.

Of the adventurers, who first settled at Harrodsburgh, where most were brave and active, it may be said with truth, that for active and daring courage, none transcended M^cGARY.

A Harland, a M^cBride, and a Chaplain, deserve also to be mentioned.

Among the young men, none were more entitled to distinction and to praise, for active and meritorious services than JAMES RAY. Ready upon all occasions

of alarm, prompt in pursuit of the enemy—brave in the field, he scarcely missed a battle, or skirmish, which took place in the neighborhood, or an expedition which was sent from the country against the Indian towns. Expert as a woodsman, and skilful as a hunter, he was often employed as a spy; and frequently leaving the garrison by night, and travelling through secret ways, reached the forest five, or six, miles distant, by day, when killing the buffaloe, by the first dawn of light, would watch it till night again; then loading himself, with choice parts, he would return to the fort, with a supply of meat, to those who were not able to procure it for themselves.

The Indians all the while, watching every known avenue to the place. It is in times of difficulty, and danger, that men prove themselves, genuine, or counterfeit; heroes, or paltroons; useful, or a nuisance.

By substantial services, James Ray, entitled himself to the gratitude of his cotemporaneous settlers, and their successors have repaid him with their confidence, their good will, and their suffrages.

When we mention particular persons, let none others think themselves overlooked, or neglected, from want of respect, or of an entire wish to do them the most ample justice. To name them only, would be but a poor reward for their labors, and toils; to give details would render our task too laborious, and our narrative too prolix. It is only those who have made themselves most prominent, that we can mention, satisfactorily. Many we doubt not, whose active services have merited atten-

tion from their countrymen will escape our notice, from a defect of information. In the very brief, and imperfect sketch which we have given of James Ray, many others, will recognise, a series of similar transactions as to themselves; and feel the agreeable sensation, which ever accompanies the consciousness of having contributed, to the relief of suffering humanity, or to the establishment, and prosperity of the first settlement of the country.

Among the early settlers at Harrodsburgh, and its neighborhood, the name of M'Afee deserves a place in the annals, of the first settlements of Kentucky.

As early as the year 1773, James and Robert M'Afee left their residence in the county of Botetourt, Virginia, to seek their future place of residence in the wilds of Kentucky. They arrived in the country that year; explored it extensively, and fixed on lands adjoining to Salt River, five or six miles from Harrodsburgh, as their choice of the country. A permanent settlement was their object. And with this view they returned, to the country in 1774, revisited their former selections of land; and made some improvements—as were common among the early adventurers,—deemed sufficient to authorise future possession.

In 1775, they were again in Kentucky, and still added something to the improvements, which they had made; and we find, their relations William, and George M'Afee, also among the early adventurers, to Kentucky. Some of the M'Afees, were persuaded by Colo. Henderson to accompany him to Boonesborough; where, he

assured them they might take up as much land as they wanted, by entry in his office, as proprietor of the country, south of the Kentucky River.

James M'Afee, resisted these alluring offers, by urging the right of Virginia to the country ; but his brothers yielded to the address of Henderson, and raised a crop of corn at Boonesborough in the year 1775 ; by which they entitled themselves to a settlement and preemption in the country, as will be hereafter explained—the fate of Henderson's claim is already known. Their entries fell with it.

In 1776, the M'Afee's returned to Kentucky, after going home in the preceding autumn, and raised corn on Salt River, principally at James M'Afee's improvement ; with the intent of removing their families, to the country in that year.

This was however prevented by a series of untoward events, which befel a part of them on the Canhawa ; and which terminating in the loss of all the stores, they had for several years, been laying up, and providing for their removal, postponed that event to a more distant period.

In 1777, some of the connection came out to Salt River, to see after the cattle which they had previously removed to the country, and left the year before ; but could find none of them, the Indians having killed, and dispersed the whole of the herd, amounting to about fifty head. In 1779, they returned to Kentucky, reclaimed their lands, and settled M'Afee's station, six miles from Harrodsburgh. Robert B. M'Afee, now a

member of the Legislature, is a son of Robert M'Affee, and a Kentuckian by birth, and education.

This little narrative is due to the first explorers of the country on Salt River, and to the first who ascended the Kentucky River, to its head; and thence traversed the Cumberland Mountain, fortified by its out posts of stupendous hills, where man never trod before; and from whence wild animals of the game kind, had fled with terror, and affright. In this tour which lasted about fourteen days, and which was executed in 1773, the party suffered incredible fatigues, and great hunger; one of which totally failing, sunk down in despair; when as Providence directed, equally, as when Isaac was saved by the appearance of the ram, a buffaloe was spied, and killed; the internal application of a part of which, to the stomach of the dying man, soon brought him to his feet; and the whole party got safe to Castleswood's on Clinch River, and thence returned home.

Among the early adventurers to Kentucky, was he, whose name we have already mentioned, and whose venerable and well ballanced figure now presents itself, for particular notice. It is tall, athletic, contemplative, taciturn, and dignified. The statesman's eye, is crowned with the warrior's brow; and a countenance, which displays an unyielding fortitude, invites to a confidence, which was never betrayed. In 1775, a private citizen, Benjamin Logan came to Kentucky—As his character unfolded itself, he was appointed a Magistrate, elected a Legislator, commissioned a Colonel, and promoted to the rank and title of General.

The parents of Benjamin Logan were born in Ireland, and when young, removed to Pennsylvania, where they intermarried; and soon after sought and found, a permanent settlement in the county of Augusta, and colony of Virginia. There Benjamin, became their first born; and there by the practice of industry, and the observance of œconomy, as cultivators of the soil, in which they had acquired the fee simple estate, they became independent livers, with a growing offspring. At the age of fourteen years, Benjamin Logan lost his father, by untimely death, and found himself prematurely, burthened with the care of a numerous fraternal family, under the superintendence of a prudent mother, to whom he was a most affectionate and dutiful son.

Neither the circumstances of the country, then newly settled, nor the pecuniary resources of the father, had been favorable to the education of the son; nor can it be supposed that the widowed mother, had it more in her power, whatever her inclination might be, to reward his faithful services, with literary endowments—an imperfect English education was all he acquired. The truth is, that in this respect his mind was not only undorned by science, but almost unaided by letters. His domestic lessons, which consisted of precepts, and examples of sound morality and Christian piety, commenced under the eye of a father, were continued by his mother; with whom he resided until of full age, an example of filial obedience, and useful services.

The father of Benjamin Logan died intestate, and as a consequence of the laws then in force, his lands descended to him, in exclusion of his brothers and sisters. So far from availing himself of this circumstance, Benjamin Logan, with a noble disinterestedness of temper, a provident view to the future well being of the family, and with his mother's consent, sold the land, not susceptible of division, and parted the price with those the law had disinherited.

To provide for his mother an equally comfortable residence, he united his funds to those of one of his brothers, and with the joint stock purchased another tract of land on a fork of James River; which was secured to the parent during her life, if so long she should choose to reside on it, with remainder to the brother in fee.

Nor had the attention of Benjamin Logan been all this time confined to the circle of his own family; but the heart thus partaking of the finer feelings of filial and fraternal affection, was equally open to the impressions of public duty. At the age of twenty-one he had accompanied Colo. Beauquette on an expedition against the hostile Indians of the north, in the capacity of sergeant.

Having seen his mother and her family comfortably settled on James River, Benjamin Logan, determined, next to provide for himself a home, and purchased land on the waters of Holston, near where Abington now stands. There he improved a farm, took to himself a wife, and enlarged his property.

In 1774, he was on Dunmore's expedition against the Indians, in what capacity is not known.

In the spring of the year 1775, he determined to push his fortune in Kentucky, and set out, with two or three slaves only, to see the country, and make a settlement. In Powel's valley, he met with Daniel Boone, Richard Henderson and others, on a similar adventure, and with them traversed the wilderness; but parted from them on their arrival in Kentucky—and pitched his camp, where he afterwards, built his fort; and where he, with one William Galaspy, raised a small crop of Indian corn in that year. Delighted with the country, and ever attentive, to the interest of his connections, he selected places for their future residence, and in June returned without a companion, to his family on Holston. In the fall of the same year, he removed his cattle, and slaves, to his camp in Kentucky, and leaving them, again returned to Holston, quite alone.

These journeys, attended with considerable peril and privation, evince the enterprise, and hardihood of his mind, and character.

In February 1776, he removed from Holston, and on the 8th of March arrived at his camp in Kentucky, with Mrs. Logan, and the rest of his family.

In the summer of this year, the Indians alarmed the country, by taking a few prisoners at Boonesborough; and Mr. Logan, endeavoring in vain to collect some scattering improvers, then in the neighborhood of the Crab Orchard, with a view to make a stand at his own cabins, found himself compelled from a sense of duty to

his family, to remove it to Harrodsburgh, as to a place of safety ; whither also, those repaired who would not join him. But so determined was he, to establish his own place, that he raised corn at it, notwithstanding the increased danger from the Indians.

In February 1777, some short time before the first attack was made on Harrodsburgh, by the Indians, Mr. Logan, returned to his own cabins, with his family, determined to fortify and maintain his post ; and in good earnest set himself about it, with the men of five, or six, families, who had accompanied him.

On the morning of the twentieth of May, the cabins, which composed the fort, being up, and habitable, the women were out milking their cows, under a guard of the men, when an attack was suddenly made upon them, by a large party of Indians, till then concealed in the thick cane, in which one man was killed, and two others wounded ; one of them, mortally ; the other, with the rest of the men, and the women, got safe into the fort. At this time the whole number of persons with Logan and more than one half of them women, and children, amounted to about thirty souls. The Indians were numerous. The fire of the enemy having in some measure abated, and the besieged having a moments leisure to look about, discovered the wounded man, who had been left on the ground, yet alive. A more pity moving object cannot well be conceived ; exposed every moment to be scalped by the Indians and incapable of getting into the fort. Harrison, was his name, and in the fort he had a family. The man

who should attempt to bring him in, would expose himself to almost certain death. In this situation of perplexing distress, Logan, endeavored to raise a little party, to take Harrison, from the ground; but so obvious was the danger, that he met only refusal; until at length John Martin, seemed to collect sufficient fortitude to make the experiment, and with him Logan proceeded to the fort-gate; at this moment the wounded man appeared to raise himself on his hands and knees, as if able to help himself, and Martin withdrew; Logan, collected, and alone, rushed to his assistance, but being much weakened by the loss of blood, and the soreness of his wound, he could only crawl a few steps, when he fainted—Logan then took him up in his arms, and brought him into the fort, amidst a shower of bullets; many of which struck the palisades, about his head as he entered the gate.

At this time, there was but little powder, or ball, in the fort, nor any prospect of supply from the neighboring stations, could it even have been sent for, without the most imminent danger. The siege was continued, and there was but one alternative apparent to this little garrison. They must either send to Holston for ammunition, or expose the fort to be taken by the Indians, in case no supply was obtained. Peril the most obvious and alarming, attended either course. The individuals who should attempt the journey would be greatly exposed; and the garrison already small would be reduced by their absence. If the supply was not attempted the consequence seemed still more terrible and certain. In this

dilemma, the part of prudence was to encounter the less, to avoid the greater danger—to run a risk, rather than wait the arrival of certain ruin. Holston must be reached, and a supply of powder and lead must be gained, or all would be lost. The question now was, who should obviate the sad catastrophe, by encountering the danger of obtaining the necessary supply. In these cases, Captain Logan left not to others, what he could do ; but where the greater danger was, there was he. His party was made up of his trusty companions, and with two or three of them, he quitted the fort by night, and traversing the woods found his way to Holston, where with the utmost expedition he arrived ; and having procured the necessary supply of ammunition, and put it under the care of his men, with directions how to conduct themselves, Logan returned alone to his fort in less than ten days, from his departure ; where the siege was still continued, and his diminished garrison almost reduced to despair. In him they find a host : his intelligence reanimates their sinking spirits ; they rise from despondence, to exultation ; from being almost vanquished, to sensations stronger and more lively than those of victory—they are sensations of gratitude and confidence.

But how did their commander escape the dangers which beset his path ? For the greater part of his way, was through a wilderness ; and that wilderness infested with hostile savages. But Captain Logan was a woodsman—and a soldier ; the one gave him a knowledge of the country—the other fortitude, to encounter and surmount, both difficulty, and danger. The saga-

city of Logan had prescribed to him the untrodden path ; he left that which was beaten and likely to be way-laid by Indians, avoided Cumberland Gap, and explored his tract where man never travelled before, nor probably since, over Cumberland Mountain, through cliffs, and brush, and Cane-brakes ; clambering rocks and precipices to be encountered only by the strong, the bold, and determined—by the affectionate husband, and the faithful Captain, of an expecting wife, and confiding friends, and comrades.

The country continued to be infested by the Indians, who frequently appeared about the fort. But the escort with the ammunition observing the directions given it arrived in safety ; and the garrison felt itself competent to keep the fort ; but were continually exposed to great danger in seeking in the woods, a necessary supply of meat. They were in a manner cut off from other society, and felt very deeply, the unpleasant effects of confinement within, and enemies without. In fact they knew not whence to expect relief, and they felt the most poignant distress.

About the month of September, as has been said, Colo. John Bowman arrived in the country, with a detachment of militia, and to the very great joy of the garrison, directed his rout, to Logan's fort.

Some of Bowman's party who were considerably advanced of the main body, upon their approach to the fort were killed by the besieging Indians. On the dead body of one of these men were found proclamations, which had been prepared in Canada and sent into the country, by the British Governor of that province ; offering pro-

tection to such of the inhabitants of the country as would abjure the Republic, and return to their allegiance to the British crown ; with denunciations of vengeance against such as refused. The man who found the papers gave them to Logan, who upon ascertaining their contents, thought it prudent to conceal them ; lest their invocations, and their threats, operating on the minds of the people,, worn down by distress, the end of which could not be foreseen, might have the unhappy effect, to diminish their fortitude, or shake their fidelity.

Perhaps this caution was unnecessary, but the circumstances under which it was taken rendered it prudent. For although the arrival of Colo.^d Bowman, had given a high degree of cheerfulness to the garrison, for the moment ; and the Indians had disappeared from its walls soon after ; yet it was known that his men were engaged but for a short time, that much of it had expired on the road, and that their return, would immediately follow their discharge ; and the country be once more left a prey to the Indians, instigated by the British. Of whose power and animity the people had an opinion alarming, as it was exalted.

Once more the garrison left to its resident inhabitants, felt itself distressed for the want of ammunition ; the supply from Holston, not very ample at first, being exhausted, and Bowman's party leaving them none. Again, Benjamin Logan left his family, and his fort, to encounter new dangers and difficulties, in search of a supply—Holston was his resource, and a journey there and back, was undertaken and executed, with his

usual readiness and facility, which gained the necessary quantity.

Soon after Logan's return, to his fort, it was reinforced by the arrival of Montgomery's party, which confirmed the cheerfulness, his presence had inspired.

From this time for several years there were many particular incidents, to attract our attention to Benjamin Logan, whose watchful vigilance prompted him to explore the adjacent country, and often exposed him to rencounters with the Indians. On one of these excursions in the next year he discovered, a camp of Indians at the Big Flat Lick, about two miles from his station, to which he returned, and immediately raised a party; with this he attacked the camp, from which the Indians fled, without much loss, on their part; and none on his.

Shortly after this occurrence, Logan was again at the same place alone, when he received a fire from a party of Indians, which broke his right arm, and wounded him slightly on the breast. The savages rushed upon him, and so near was he falling into their hands, that at one time, they had hold of his horse's tail. It is propable that they desired to take him alive, and forbore to kill him, until he made his escape.

No sooner had his wounds healed, than he resumed his usual course of active life; nor did he shun danger when his incurring it, could benefit his country, or his friends, either in company, or alone.

In 1779, he served as a Captain, and commanded a company on Bowman's campaign; nor was the failure of the attack on the Indian town owing to any fault

of his. But on the contrary, he executed his orders promptly and completely; and after occupying his ground, and waiting impatiently for the signal of assault, to his great mortification he received an order to retreat; which he reluctantly obeyed.

In 1780, a party of men in going from Harrodsburgh, out toward Logan's fort, were fired on by the Indians, and two of them mortally wounded; one got into the fort, and gave an account of the affair, and of the fate of his wounded companion. Logan immediately raised a small party of young men, then about the fort, and repaired to the assistance of his wounded man; he had concealed himself from the Indians, whose sign was fresh in the vicinity, by covering himself in the weeds, and was alive, though utterly incapable of travelling. In such cases there is no room for argumentation, the man was to be carried home, and this Logan principally effected upon his own shoulders: His companions being young men not able individually to bear the burthen. On their way home, after leaving the wounded man at Harrodsburgh, the party was fired on by the Indians, and one of the men wounded. The assailants were repelled; and again it fell to the lot of Logan, to carry the wounded man, which he did with his known humanity, and fortitude.

In the autumn of this year Capt. Logan, anxious to remove his mother, and a sister who resided with her, to his own station, went into Virginia, brought them out—gave them land, and built them a house. He was the cause of a numerous connection, migrating to Kentucky;

for whom he had chosen lands of fine quality, and convenient situation; and who proved, a great acquisition to the population and improvement of the country. Nor should we acquit ourself with justice towards Capt. Logan, did we not mention, his open house and hospitable attention to all emigrants and travellers; and the solicitude, with which he often met them, and conducted them into the country.

No man felt more the responsibility of his situation, than Capt. Logan; in the early stages of the settlements his fort, was one of the main pillars of the new population; and he perceived all the importance of sustaining its garrison. He had a family to provide for, and to protect: it was highly necessary to keep up a correspondence with the other stations in the country; while every movement without the fort-walls, was beset with danger; to all these objects he attended. Logan, generally travelled alone, often by night; and usually with such celerity, that but few could accompany him; whether to convey intelligence, collect information, or hunt the wild game.

He was this year elected to the general assembly. And on the establishment of Lincoln county, commissioned a Colonel in the militia.

In 1781, he was elected a member of the Legislature, and attended its session, in Richmond.

It was in this year also, that the Indians made an attack upon Montgomery's station, consisting of five or six families, nearly connected with Mrs. Logan, and who had removed at the particular solicitation of Colo.

Logan. In this attack, the father, and one brother of Mrs. Logan were killed, and a sister, and sister-in-law, with four of their children, taken prisoners. This scene of distress was ten, or twelve miles from Logan's fort, to which the news was soon brought. We shall not attempt to describe the sensations it excited. The first object with Colo. Logan, was to recover the prisoners, and if possible to chastise the insolent barbarity of the invading foe. He immediately raised a party of his followers, and repaired to the place of action; there he was joined by the survivors of the Montgomery family, and commenced a rapid pursuit of the enemy. They were soon overtaken, briskly attacked, and finally beaten, after a severe conflict. During which, William Montgomery, killed three Indians, and wounded another. The two women, and three of the children, were rescued; the Indians murdered the other child, rather than permit it to be retaken; which would have been the fate of all the prisoners had they not dashed into the brush, and saved themselves by flight.

From this simple narrative of the most prominent facts during a period of five years, the reader will perceive the kind of life, allotted to the early settlers in Kentucky—and the part which Benjamin Logan acted among them. As a consequence of his prompt, zealous, and eminent services, he acquired universal confidence among his fellow-adventurers; and thereby became the more extensively useful, in succeeding times; and in various other relations to his friends, and to his country. Which will be noticed in the proper places.

CHAPTER III.

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*The landing of Captain Bullitt at the Falls of Ohio—
 incidents of his conduct. Douglass, and Floyd, arrive
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 sioners, sit in Kentucky to adjust claims to land—
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 Kentucky divided.*

HAVING traced our Biographical sketches as far as we intended ; the history of the early settlements is now resumed. This, in the order of events leads our attention to the Rapids of the Ohio. An object so truly sublime in itself—so singular, and momentous in the navigation of that River, could but arrest the attention of those who voyaged on its surface. The approach to it from above was probably the most affecting. The

repercussion of the waters, running at the rate of ten miles an hour, upon a descent of ten or twelve feet in a mile, against the successive ledges of rocks, which cross the channel, strike the spectator's eye with their white curling foam, and assail his ear with their chaotic roar. Stout indeed must be the heart of that navigator which is not appalled at his first approach to this scene, rendered still more alarming, and dangerous, by the irregularity of the schutes, and the splits in the currents, occasioned by the inequality of the rocks, and the several islands, fixed in the bed of the river.

But if on the one hand nature distresses her subjects, on the other, she holds out to them the means of consolation, and relief.

If the front aspect of the Ohio presented the Falls, where the mighty current, was met and broken, by the more inflexible rocks ; on the Kentucky side of the river, was to be seen the mouth of Beargrass, opening a spacious and safe harbor, for the laboring barge. A point of land on the opposite shore, projecting into the River, turned the current in that direction ; the reaction of the waters at the head of the Falls produced an eddy ; the fine, regular bank which limited Kentucky in full view ; all combined to attract the attention, and to waft the Barge of the navigator, to that landing.

It was there that Captain Thomas Bullitt and his party made a port in 1773.

They came to Kentucky with the particular design of surveying land, and of making a settlement in the country.

For this purpose it is believed that Captain Bullitt had a special commission as surveyor from the college of William and Mary, in Virginia ; in the professors, or masters of which was vested the right of giving such commissions.

At this place Bullitt proceeded to make a camp, to protect himself and men from the vicissitudes of the weather, and as a place of deposit for the few stores which he had brought with him. After this precaution he executed several surveys in the vicinity of the Falls ; and thence extended his researches, to the River called Salt River, from the salt-lick thereon, which he surveyed, and which after him, was called Bullitt's Lick. Soon after this he left Kentucky with intent to return, with better preparation to effect his main object ; a permanent settlement in the country. But was unfortunately prevented from accomplishing this design by untimely death. Otherwise, from the spirit, intelligence, and enterprise of Captain Bullitt, there is reason to believe he would have been one of the most useful of the early settlers.

On his way to Kentucky, he made a visit to Chillicothe, a Shawanee town, to hold a friendly talk with those Indians on the subject of his intended settlement ; and for the particular purpose of obtaining their consent to that measure. He knew they claimed the right of hunting in the country—a right to them, of the utmost importance, and which they had never relinquished. He also knew they were brave, and indefatigable ; and that if they were so disposed could greatly annoy the

inhabitants of the intended settlement. It was therefore a primary object in his estimation to obtain their assent to his projected residence, and cultivation of the country. To accomplish this, he left his party on the Ohio, and travelled out to the town, unattended, and without announcing his approach by a runner.

He was not discovered until he got into the midst of Chillicothe, when he waved his white flag as a token of peace. The Indians saw with astonishment a stranger among them in the character of an ambassador, and without any information of his intended visit. Some of them collected about him, and asked him, what news? Was he from the LONG KNIFE? and why if he was an ambassador, he had not sent a runner? Bullitt not in the least disconcerted, replied that he had no bad news, that he was from the LONG KNIFE, and as the red men, and white men, were at peace, he had come among his brothers to have a *friendly talk* with them about living on the other side of the Ohio. That he had no runner swifter than himself, and that he was in haste, and could not wait the return of a runner. Would you, said he, if you were very hungry, and had killed a deer, send your squaw to town to tell the news, and wait her return before you eat? This put the by-standers in high good humor. And upon Bullitt's desiring that the warriors should be called together to hear his talk, they were soon convened, and he made a speech to them. Which we have from his journal.

“BROTHERS—I am sent with my people, whom I left on the Ohio, to settle the country on the other side

of that river, as low down as the Falls. We come from Virginia. The King of my people has bought from the nations of red men, both north, and south, all the land; and I am instructed to inform you, and all the warriors of this great country, that the Virginians and the English are in friendship with you. This friendship is dear to them, and they intend to preserve it pure. The same friendship they expect from you, and from all the nations, to the Lakes. We know that the Shawanees, and Delawares, are to be our nearest neighbors—we wish them to be our best friends; as we will be theirs.

“BROTHERS—You did not get any of the money or blankets given for the land, I and my people are going to settle. This was hard for you. But it is agreed by the great men who own the land, that they will make a present to the Delawares, and Shawanees, the next year, and again the year after, that shall be as good.

“BROTHERS—I am appointed to settle the country, to live in it, to raise corn in it, and to make proper regulations among my people. There will be some more principal men, from my country soon, and then much more will be said to you. The Governor desires to see you, and will come out this year, or the next.

“I will have a belt of wampum when I come again to see you. I come now in haste, and had none prepared. My people only want the country to settle and cultivate. They will have no objection to your hunting or trapping in it. I hope you will live with us as brothers, and as friends. I expect you will give me a good talk. And I shall write to my Governor, what you say to me.”

This speech was heard with attention, and Captain Bullitt was told that on the next day he should have an answer.

The Indians are in the habit of proceeding with great deliberation in matters of importance. And all are such to them, which concern their hunting.

On the morrow, agreeably to promise, the Indians assembled at the same place, and Captain Bullitt being present, they returned an answer to his speech, which we also have from the same journal.

“ OLDEST BROTHER—*The Long Knife,*

“ We heard you would be glad to see your brothers, the Shawanees, and Delawares, and talk with them. But we are surprised that you sent no runner before you, and that you came quite near us, through the woods and grass, a hard journey, without our knowledge, until you appeared among us.

“ BROTHER—We have considered your *talk* carefully—and we are pleased to find nothing bad in it, nor any ill meaning. On the contrary you speak what seems pleasing, kind, and friendly. You have mentioned to us your directions for settling the country on the other side of the Ohio, with your people. And we are particularly pleased that they are not to disturb us in our hunting. For we must hunt to kill meat for our women and children; and to have something to buy our powder and lead with, and to get us blankets and cloathing. All your young brothers are pleased with what you have said. We desire you will be strong in discharging your promises towards us; as we are determined to be very

strong in advising our young men, to be kind, friendly, and peaceable to you.

“ This spring we saw something wrong on the part of our young men. They took some horses from the white people. But we have advised them not to do so again ; and have cleansed their hearts of bad intentions. We expect they will take our advice, as they are pleased with what you have said.”

This speech was delivered by GIRTY.

Richard Butler was the interpreter ; he behaved in a very friendly manner to Captain Bullitt, who was his guest during his stay. But having executed his mission, very much to his own satisfaction, he took his leave, and rejoined his party—who were heartily glad to see him.

He made report of his progress and success ; and his party with light hearts, and high expectations, launched their keels on the stream, which conveyed them to Kentucky.

In this simple negotiation ; where there seems to have been no guile intended, and hardly room for any ; it is apparent that the Indians were mistaken, or dissembled their knowledge of the consequences of the intended settlement. For they appear to admit the correctness of the idea thrown out by Bullitt, that settling the country would not affect their hunting, or trapping. It is altogether probable that Captain Bullitt himself, did not conceive that the settlements about to be made, would within any short period, have the effect to destroy the game ; and thus to render hunting and trapping, a mere labor,

without profit ; and a privilege without emolument. The Indians could not complain of deception, for they well knew the consequence of white men settling in a country, previously uncultivated, and filled with game. Nor would it be candid to accuse them of dissembling an intention of hostility, and of concealing the object of assent, tacit at least, to Bullitt's settling the country—which would bring so many subjects of depredation, so much nearer to them, and place them so completely within their reach. The probability is, that the number of emigrants which in a few years filled the country, deceived them, by transcending their anticipations. Yet it is not thought, that the hostility which took place at so short a period afterwards, ought in any degree to be ascribed to any misunderstanding between them.

The fact is, that in the very next year, some men by the name of Greathouse, and Cressup, on the Ohio, below Wheeling, and about Yellow Creek, and Grave Creek, in a most wanton and cruel manner, killed a number of Indians, which brought on the war of 1774.

But had this not been the case, a war in the course of events, and from the very nature of the Indians, would soon have taken place with them. For had not the contest with Great-Britain commenced as it did ; yet when we consider the habits of the Indians—the strong aversion naturally felt by them at seeing the country possessed by an ancient enemy—the opportunities presented to them of gratifying their passion for war—the alarming apprehension of losing their choice hunting ground—all combined, would have produced war. But when to

these considerations are added, the approaching rupture with Great-Britain, and the influence of that crown by means of the posts on the Lakes, a war was inevitable—let the talk with Captain Bullitt have been what it might.

He certainly took a very judicious step, in making the visit and explaining his motives, and views for going into Kentucky—and at the same time gratified his own sense of propriety.

Under the impression, that Captain Bullitt, here spoken of, is the same whose gallant and masterly conduct, saved the army in its approach to Fort Duquesne, previous to the capture of that place; we cannot omit giving a concise recital of the transaction. Nor do we deem it wholly irrelevant to our subject, inasmuch as the capture of that fort, (now Pittsburgh) is one of those events, which lay in the train that led to the possession of the country, we now inhabit.

On the 14th of September 1758, the anglo-American army, then on its march to attack the French and Indians, posted in Fort Duquesne; Major Grant, of the British Regulars, was detached from Loyal-Hanning, with a choice body of eight hundred men, British, and Provincials, to reconnoitre the country in the neighborhood of Fort Duquesne, and make such further observations, on the strength and position of the enemy, as would facilitate the success of the main design. During the night he reached a hill near the fort, where his men were posted in order of battle; while a party of observation was advanced, who returned, after having burnt a

log house, near the fort walls. The next morning Grant, with much ostentation ordered other movements ; and as if the enemy were not sufficiently apprised of his approach, the drums, by his order beat the reveillez. During this arrogant parade, a profound silence prevailed in the fort ; which confirmed for a moment the blind security of the British commander.

On a signal given, the gates of the fort were thrown open, from whence issued multitudes of French, and Indians. The Indians, with the war whoop in their mouths, and the weapons of death in their hands, ran off to the flanks of their enemy ; while the French, a chosen band in firm order, assailed them in front. The advanced party of the British, were immediately beat back, and dispersed, or destroyed. Grant arrived in person with the main body. A most fierce and bloody encounter took place, like that of the fatal day, of Braddock's defeat. The same adherence to European tactics, on the part of Grant—the same panic, and disorder on the part of his troops, preceded the like fatal result ; only that Grant survived the action, while the gallant spirit, who directed on the Monongahela, paid for his rashness, with his life ; and the *genius* of BULLITT now, as that of WASHINGTON then, saved the defeated remnant of the army.

At the commencement of the action, Major Lewis, who had been left with the baggage, hastened with the principal part of the rear guard to the assistance of Grant ; leaving behind him *fifty Virginians*, under the command of CAPTAIN BULLITT, for the defence of the stores.

But the enemy having gained a decided advantage, were not to be stopped by this reinforcement. Both Grant, and Lewis, were made prisoners by the French ; and the Indians, who refused to give quarter, proceeded to finish with the tomahawk, and scalping knife, what they had begun with their fire arms.

An universal rout now took place, and carnage, unresisted, was marked by those shocking outrages, and enormities, which distinguish Indian war. It was in this awful moment, that Captain Bullitt, whose magnanimous spirit was equalled only, by his cool collection, and penetrating foresight, took his measures for saving, the baggage, and if possible, the remains of the detachment. First, he sent off the most valuable part of the baggage on the strongest horses ; next, he disposed the residue at an advantageous point of the road, as a cover for his troops ; then, he threw himself in the way of the fugitives, and rallied as many of them as he could ; and finally, he prepared to receive the shock of his enemy—whose character he well knew, and from whom no quarter was to be expected. It was a moment, which called for the last effort of a great man, nor was Bullitt, wanting on his part—He embraced an expedient contrary to all the established laws of arms ; and which under other circumstances would have been unjustifiable. Having animated the courage of his little band, by an appropriate appeal to their personal feelings—to their character, as Virginians—and to the circumstances of the moment ;—he directed them to fire on the advancing enemy with the utmost precision, until apparently overpowered by

numbers—when, on a signal given, which was explained to them, they were to march out from their cover with arms trailed, as if suing for quarter. Instantly every man caught the spirit of his leader; and vivified by his intrepid example, literally followed his orders. As the Indians now pressed on, a most destructive fire unexpectedly opened from behind the baggage waggons, which checked their career, and threw them into some disorder; but their numbers increasing every moment, and apprehending that they would attempt to get in his rear, BULLITT held out the signal for capitulation. Quick as the motion of hope, in the heart of the lover, whose mistress gives the signal of welcome from the casement, the *Virginia band* now shewed itself, and in a suppliant posture, with arms inverted, proceeded slowly towards the enemy, who crowded together, and whose impatience for blood, would hardly permit them, to wait the forms of a surrender; already had they grasped the tomahawk, and scalping knife, thirsting for the springs of human life, when BULLITT pronounced the tremendous word *charge!* and which was repeated by every man in the detachment. A most destructive fire at eight yards distance, announced the ready execution of this order; and before the enemy could recover from the astonishment, and terror, excited by this new feature of war, a furious onser with fixed bayonets, effected a complete discomfiture, and rout, of the Indians. Who, it is probable, imagining the whole army at their heels, never stopped until they reached the French Regulars, some distance in the rear.

CAPTAIN BULLITT, having thus gained the respite which he wanted, and seeing that nothing more was to be gained in that position, took up his line of march, towards the main army, at Loyal-Hanning ; collecting as he proceeded, the wounded, and terrified regulars, who wandered on the way, ignorant of the country, and dreading every moment the tomahawk of the savage.

Thus have we told our story, warranted by authentic history, of one of the very early adventurers to Kentucky. And if this be error, let him who says so, omit to read the detail. For our part, we have pleasure in recounting the circumstances. That we may for a moment sympathise, with a hero, and a Captain, whose conduct as here related, stands the equal, to any thing recorded, on the page of ancient, or modern history.

As the Monongahela, whose elevated cliffs witnessed the gallant achievements of Bullitt, descends to the broad and gentle Ohio, and with it washes the shores of Kentucky ; so we, from this historical episode, return to narrate the incidents, which occurred to other adventurers, in the neighborhood of the Falls.

In 1773, James Douglass, another surveyor, came to the Rapids of Ohio, where he also landed, and from whence he explored the country, with the M'Affee's, into the neighborhood of Harrodsburgh, and thence returned home, to Williamsburgh.

On his way to the Falls, he landed at the mouth of a creek, since called Landing Creek ; a few miles above the mouth of the Big Bone Lick Creek ; and went over land a mile and an half, to see the large bones, of which

fame had said so much, the learned risked so many conjectures, and every body knew so little. If the sight of these bones gratified the curiosity of Douglass, and his party, their numbers and size filled them with the most profound astonishment. Nor was the Lick itself, an object of ordinary interest.

Douglass determined to remain sometime at this place; and there being no materials more convenient, the rib bones of a being once animated, were used as tent poles, on which the party stretched their blankets, for a shelter, from the sun, and rain. They found many teeth, from eight, to ten, and some twelve feet, in length; one in particular, was fastened in a perpendicular direction in the mud and clay, with the elevated end six feet above the surface of the ground; an effort was made in vain, by six men, to extract it from its mortice.

The Lick itself exhibited about ten acres of land, bare of timber, and of grass; much trodden, eaten, and washed below the original surface, with here and there a knob in it, shewing its former elevation of earth.

Through the midst of this Lick ran the creek, and on either side, a never failing stream of salt-water. To these from all parts of the country, were converging roads, made by the wild animals, which resorted thence for the salt.

The whole of which in the simple language of a rude hunter, who accompanied Douglass, “were wonderful to see.”

The next year Douglass revisited Kentucky, and was principally on the waters of Elkhorn, Hickman, and

Jessamine, where he executed a number of surveys on military bounty lands, as the records attest.

It was his intention to have become a permanent resident, but death forbid it, and he obeyed.

Next to James Douglass, and pursued by a fate still more malignant, we have to mention Handcock Taylor; he, following the rout most common at that time, came to Kentucky in 1774, as a surveyor; and landed at the Falls of Ohio. He also executed a number of surveys, and was killed by the Indians, at an early period, and before he had an opportunity of demonstrating what would have been the course of his conduct in relation to the settlement of the country.

In 1774, John Floyd, also visited the Falls of Ohio, in the capacity of a surveyor, and pursuing that river, executed many surveys: he is one of those whom Daniel Boone was sent to recal in this year.

In 1775, he returned, and upon Elkhorn, completed the object of his mission.

Floyd, was a man of intelligence and enterprise, to whom Kentuckians are much indebted, for his services. His person was spare, his figure genteel, his complexion dark, his eye penetrating, and keen; his information superior to that of most of the early adventurers; his style of conversation, and manners, those of a well bred man.

He continued to visit, and revisit Kentucky, with a view to his permanent settlement, which he effected in a station on his own land upon Beargrass Creek, about ten miles from the Falls of Ohio, after the first settle-

ments at that place. And where we shall find him in future discharging the duties, both civil, and military, of a good citizen, and a brave and vigilant officer, until his death, which was occasioned by the hands of the Indians.

In the mean time, other objects of great interest, demand our attention.

From the earliest settlements of Kentucky, her parent, Virginia, had been engaged in the high, and mighty contest with Great-Britain on the subject of certain taxes, imposed on the American colonists, without the consent of their local assemblies. In this attempt of the British parliament, to tax the people of the colonies, and which in effect affirmed a right to tax them in all cases ; the latter could but see the source of an evil, “ boundless in extent” as it was, “ endless in duration :” and the more likely to be persisted in, and increased, as they were not represented in the parliament ; and as, in proportion to the burthen laid on them, it would be taken from the shoulders of those, who were represented in that Legislature. The first opposition to these alarming, and unconstitutional measures, was made in the form of remonstrance and petition. A war of words ensued ; which in 1775, terminated in blows.

And from that time a civil war with its attendant horrors, and devastation, had raged throughout the country.

The question to be decided, had assumed the most important issue, on which the parties could place it ; and stood before high heaven, for judgment, whether Britain should RULE, or America be FREE. In this

situation, which called forth and employed, the best talents, and greatest energy, of Virginia, she was not inattentive to Kentucky; whose infant struggles she cherished, and applauded, as exertions in the common cause, against a common enemy, who had associated with the Indians, on the whole extent of the western frontier. It is however to be acknowledged, that such was the pressure of the war on the atlantic side of the state, that Virginia, had but little more than her good will, and approbation to bestow; accompanied by a cordial fellow feeling, for the difficulties, and distresses of Kentuckians, in effecting the early establishments, of the country. She might indeed, for a moment, at an early period of her own struggles, have thought that her strength was diminished, while her frontier was extended, and the more exposed by the migration of her citizens, to the distant regions of Kentucky; and that it was impolitic to encourage the dispersion of her effective force, to points so remote and defenceless; as those on the waters of Ohio.

But in proportion as individual interest, accumulated in the country, by the accession of numbers, it made its influence be felt in the atlantic part of the state. And the more readily, as Kentucky had a representation, on the floor of the Virginia Legislature.

The firm, and manly stand, taken by the first emigrants, having been maintained for three years, with but little assistance from the public purse, or military force of the state against the savages, instigated, and supported by the British in Canada; it became obvious to the

Legislature of Virginia, that sound policy, concurring with the calls of Kentucky, required not only, that what had been possessed, should be maintained ; but that the enemy should be dislodged from the strong holds which they held in our neighborhood.

At that time the British government occupied not only the military posts of Detroit, Niagara, &c. on the northern Lakes ; but they also possessed St. Vincents, Kaskaskias, and other places, on the Wabash, and Mississippi. From these posts the Indians received supplies of arms, and ammunition ; by which aid, they were enabled to keep up the war.

A recognition of those facts, connected with other occurrences of the war, turned the attention of Virginia, to her western frontier.

In the year 1777, the idea became familiar to the government, that the greater number of these inimical posts, might be taken by a few state regiments—and that in addition to the brilliancy, and renown of the enterprise, it would be securing to Virginia, the effect of her charter ; within the limits of which, the greater part, if not the whole of these posts, were known to be situated.

The idea of making conquests, so important to the future security of the western frontiers of Virginia, derived considerable vivacity from the animated representations of George Rogers Clark, who had been on the Ohio in the preceding year ; and whose active and enterprising mind, stimulated by an ardent desire for military fame, had prompted him to institute enquiries into the state of those objects, about which he had received

very extensive information ; especially as to the more westwardly posts. This intelligence, which tended strongly to corroborate the public sentiment in favor of the premeditated enterprise, was freely circulated through Virginia.

In the end of 1777, or beginning of 1778, a regiment of state troops was voted for the service of the western frontier ; the command of which was given to Mr. Clark, with the title of Colonel. Between two and three hundred men were raised ; and with these Colo. Clark, took his departure from the atlantic, to the western part of the state ; secretly intending an expedition against the settlements and posts on the Mississippi. He descended the Monongahela, and Ohio, to the Falls of the latter river, where he halted a short time, to refresh his men ; and where he was joined by some volunteers from Kentucky. At this place he left thirteen families, who had descended the Ohio with him, and whose object was a permanent settlement in the country.

As well the state of the war, as the nature of the expedition in which he was engaged, forbid his delay ; while his own sanguine anticipations of success, hurried him on to the destined object. From the Falls, he proceeded with his regiment in boats, to a point on the Ohio about sixty miles from the mouth of that river ; here he landed his men, and hid his boats. The route from this place lay in a course somewhat to the north of west, through a low uncultivated country, covered with ponds. Colo. Clark, was not unacquainted with its geography, and at the head of his regiment he took up

his line of march on foot, with his rifle in his hand, and his provision on his back. After wading the ponds, which they could not conveniently avoid, and sustaining two day's march after their provisions were exhausted, they arrived by night, before the town of Kaskaskias. Here the Colonel formed his regiment, and was pleased to find, after a short consultation, that his men were in fine spirits, and perfectly accorded with his opinion, that the town was to be taken "at all events." About two hundred and fifty houses composed the town of Kaskaskias; which was sufficiently fortified, to have resisted with effect, a much more formidable enemy, had the garrison been apprised of its approach. But the distance, from any known foe having forbidden all idea of danger among the inhabitants; of course superceded all precaution against surprise.

And so secretly had Colo. Clark made his approaches, that his attack on the place, gave the first intelligence of his arrival. Not a scattering hunter had espied his march—not a roving Indian had seen his trail. The evil genius of the place, had abandoned the watchman to sleep—Nor were either Town, or Fort, alarmed, until they were both in the power of the assailants. Who observing, and enforcing, the utmost silence in the execution of the enterprise, permitted not a creature to escape, as the messenger of alarm to the neighboring towns, which one after another fell into the hands of Colo. Clark, in the same course of easy, and unresisted conquest.

The papers found in the possession of the governor,

ROCHEBLAVE, had the expedition wanted justification, contained it in the utmost extent. By written instructions, from Detroit, Michilimackinack, and other places, he was directed to invite the Indians to commit depredations on the American citizens—and even to promise them rewards for scalps.

Colonel Clark required of the inhabitants that they should take the oath of allegiance to the United States; and the fort at Kaskaskias became his head quarters. Where his humane and friendly treatment to the inhabitants, afforded them the consolation of security to their persons, and property, under the new order of things.

With an account of his success, Colo. Clark sent the late Governor of Kaskaskias, to Richmond, in Virginia. And immediately prepared for the reduction of the other settlements on the Mississippi. A small detachment from his regiment being mounted upon the horses of the country, was pushed forward, to surprise and take the villages, as high up as Pancore, which was done, without loss, or injury. The inhabitants, learning the fate of Kaskaskias, from the guides who accompanied the invaders, readily transferred their allegiance from the British government to that of the U. States. While the Indians struck with fear, and astonishment, on seeing a victorious enemy in the country, without knowing how they came there, fled to the woods, or to their distant towns for safety; or else repaired to St. Vincents, as the next strong post in the possession of the British, for protection.

Post Vincents is on the Wabash; at this place was

Governor Hamilton, commandant of Detroit, (with some regular troops and about six hundred Indians) who now began to project an expedition against Kaskaskias, for the reduction of that place. Of this Colonel Clark was informed by the return of his spies; and immediately determined if possible to circumvent him.

Hamilton considering himself entirely secure in the superiority of his force, had contemplated a leisurely execution of his projected expedition, by first retaking Kaskaskias, and thence sweeping the Ohio to Pittsburgh; after which he intended to desolate particularly the frontiers of Virginia. Other arrangements having been made between the British, and more northwardly Indians, for destroying the remote inhabitants of New-York, and Pennsylvania. But of Colonel Clark, it has been said by a judicious historian, “that he anticipated and defeated the designs of Hamilton, by one of those bold and decisive measures, which, whether formed on a great or a small scale, with many thousands, or only a few hundred, for its execution, equally mark the military and enterprising genius of the man, who plans and executes them successfully.” Clark was too far removed from the inhabited part of Virginia to hope for support from thence; he could not rely on the fidelity of his new citizens; and knew himself to be too weak to maintain Kaskaskias, and the Illinois against the regular force of Hamilton, aided by the whole body of Indians from the Lakes, to the Mississippi, by whom he was to be attacked, as soon as the opening of the next year would permit. Yet he made every preparation to main-

tain his post, determining to defend it to the last extremity.

While thus employed, he received undoubted information, from a Spanish merchant, that Hamilton, reposing himself in security at St. Vincents, had, to keep his Indians employed, detached them to block up the Ohio, and harrass the neighboring frontiers of Kentucky; reserving a garrison of about 80 regular soldiers at his post, with three pieces of cannon, and some swivels.

The mind of Colo. Clark at once discerned the relative circumstances, between Governor Hamilton, and himself, with all the advantages to be made of them; and as instantaneously determined to convert them to his own use, and emolument: and by one bold enterprise to free himself from danger. With this view he detached a small gally, which he had fitted out, for defensive purposes, mounting two four pounders, and four swivels, manned with a company of soldiers, and having on board stores for his troops, with orders, after reaching the Ohio, to ascend that river, and forcing her way up the Wabash, to take her station a few miles below St. Vincents; with strict orders to let nothing pass her. Having made these, and other arrangements, he set out in the depth of winter with one hundred and thirty men, being the whole he could collect, to march across the country from Kaskaskias, to St. Vincents. On this march, through the rough woods, and over high waters, sixteen days were employed. Five days were the party crossing the swamps, and drowned lands of the Wabash, in the neighborhood of the fort, they were to attack: and

for five miles, were they forced to wade through water frequently up to the breast. There was it is true, a path from the one place to the other ; but to have followed this, would have been to expose his troops to observation, when he well knew the infinite importance of secrecy. And he was capable of sacrificing every consideration of personal accommodation, to the success of his enterprise. After subduing the difficulties which lay in his way, hitherto deemed invincible, he appeared in the van of his determined followers, before the town of St. Vincents, which he completely surprised, and which upon summons to repair to his standard, readily agreed to change its master. Hamilton, defended the fort for a while, and then surrendered himself and garrison, prisoners of war. He, together with some of his principal agents, who had been particularly active in urging the Indians to commit depredations on the frontier inhabitants, the executive of Virginia ordered to be confined in jail: which was done for a few months.

These expeditions were highly important, and beneficial in their consequences. They broke entirely the plan which threatened to pour destruction, on the whole country west of the Allegany Mountains—they detached from the British interest, many of those numerous tribes of Indians, south of the great Lakes—their influence on Kentucky, was immediate, extensive, and salutary—and in all probability, they contributed essentially, to fix the limits of the United States, ultimately by the Mississippi ; as those of Virginia, were extended there immediately after.

The Legislature of Virginia claiming the country thus conquered by Colo. Clark, comprehended it within the new county which they erected by the name of *Illinois*. A regiment of infantry, and one troop of cavalry, were voted for its protection ; the command of which was given to Colo. Clark ; whose former regiment was dissolved, by the expiration of its term of service ; and who well merited this new expression of public confidence, by the entire success of his late enterprises—by his known courage—by his uncommon hardihood—by his military talents—and by his singular capacity for Indian warfare.

When we consider the state of the country, invaded by Colo. Clark ; its villages distant and fortified ; in amity with many tribes of savages, who were continually within call—when we recount the scanty numbers of the detachment under his command ; when we retrace the routs which he travelled—when we recollect the secrecy and dispatch with which he moved ; and call to mind the address with which he overcame his enemy ; we cannot withhold the exclamation, that he was indeed, *a great commander*.

Nor are we content with this eulogium, but recite the following observations, from an history, whose author was a stranger to Colo. Clark, and whose prejudices, if he had any, were with his enemies.

Speaking of Clark's regiment while on the Mississippi, he says—" The dangerous situation of the small corps in the inner part of the Indian territory, at the back of some of the most hostile and cruel tribes, in the track of

many others, and more or less in the way of all, was converted to peculiar advantage by the extraordinary activity, and unwearied spirit of the commander. He directed and timed his attacks with such judgment; and executed them with such silence, and dispatch, that the Indians found their own mode of warfare effectually turned upon themselves. Surprised in their inmost retreats, and hunted from their most sequestered recesses, at those times and seasons when they were scarcely more disposed for action, than unprepared for defence, they experienced in their own wigwams, and families that unexpected slaughter, and destruction, which they had so frequently carried home to others, as little apprehensive of danger. Upon this they grew cautious and timid, and the continual danger, to which their families were exposed, damped the ardor of their warriors, for foreign expeditions.”

Whence we may truly say, with equal pride, and pleasure, that the expectations of Virginia, and of Kentucky, were completely answered, and their most sanguine hopes realised, by the conduct, and success of Colonel George Rogers Clark.

The families who came to the Falls of Ohio with Col. Clark in 1778, were the first settlers at that place. Considering their exposed situation on the extremity of Kentucky, detached seventy miles from the other settlements, and in the vicinity of several hostile tribes of Indians, and British posts, it was deemed expedient to erect their first cabins on the principal island in the Falls; and there they made corn in that year.

Greatly were these adventurers interested in the success of Colo. Clark's expedition. Nor was it long before they heard of the fall of Kaskaskias. Pleasing as was this intelligence, it did not afford to them the wanted security.

There was yet Post St. Vincents, more immediately in their neighborhood; and replenished with Indians. The capture of this place was to them the mandate of liberation from their insular situation, and an invitation to remove to the Kentucky shore. Hence the origin of the settlement at the site of Louisville.

A stand being once made at the Falls, and the garrison freed from the contracted and inconvenient limits of the island, soon accumulated strength from the accession of numbers, and importance from its becoming the residence of Colo. Clark, with his regiment.

Virginia having engaged with considerable energy in the defence of her western frontier, which under the direction of Colo. Clark, we have seen crowned with a degree of success, that reflected equal honor on her councils, and on her arms; now found herself involved in debts beyond the competency of her ordinary means to pay.

The war was universal, extending from Europe, to America; and from one extremity of the United States to the other. From Main, to Georgia, and from the Atlantic, to the Mississippi, was the cannon heard, or the tomahawk brandished. On the part of the Americans, it was a war against taxation; and the great body of the people, always to be influenced by names, and by

objects palpable to their senses, rather than by reason, or expediency ; would not, it was believed, bear to be taxed at home to the extent necessary to support a war, against the possibility of being taxed abroad. Paper money had been substituted for coin, and its quantity so increased that its depreciation was sensibly felt, and rapidly progressing. Could it have been recalled by taxation, there was nothing to supply its place as a circulating medium, without putting it again into motion ; nor could the public debts have been paid, or the war carried on without the continuance of the old, or the emission of new bills.

In this situation, Virginia possessed in the extensive and fertile regions of Kentucky, an immense fund of revenue not yet brought into action. The attention of her Legislators had been carried strongly towards the country, by the occurrences of the preceding year, and in casting about for *ways* and *means*, their observation was pressed on this rich resource, as well by the emergency of the crisis, as by the desire of private individuals, who either wanted the sanction of law to support their existing claims, or else its provision, by which to acquire a title to the soil, so alluring to the cultivator, and to him who proposed making himself rich by engrossing it in large quantities.

The sale of Kentucky lands, now became a common topic ; and was desired by all descriptions of people, either as a substitute for taxes, or as the mean of accumulating wealth, and distinction.

In the May session, 1779, the assembly of Virginia

passed the LAND LAW, by which the terms of possessing the allodial property in the soil, were prescribed. An important event.—Which as it put into action a variety of passions, and opened new prospects to the emigrants, and others, may be considered as the commencement of a new æra, in the affairs of Kentucky.

In all ages, and countries, from the time that Abraham came up out of Egypt, and divided, with his kinsman Lott, the pasture lands of the Canaanite, and the Perizzite, down to the present day, the division and appropriation of land, have been subjects of great importance, to the country, in which they have taken place. Nor has any country been known to prosper, where these circumstances have not been attended to, in due time, and manner.

The first plantations made in Virginia were under the direction of a company, who ordered the cultivation of the land by the emigrants in common. The consequence was, a repetition of defective crops, notwithstanding the fertility of the James River bottom, and the mildness and suitableness of the climate, to the production of Indian corn.

We read of frequent scarcity, at some times approaching to famine, for a number of years after their settlement—and of their dependance on the Indians for bread. Nor does it appear that plenty abounded, until after the appropriation, and division, of land took place, in the colony.

Were it necessary at this time to illustrate the utility of a subject so generally understood, as the division, and appropriation of land, by examples drawn from history;

that of both ancient and modern times, affords abundant evidence, to demonstrate their importance. Avoiding detail, we shall be excused for stating the result to be a clear proposition, that both are necessary, to the prosperity, of every country, where agriculture is pursued.

Some essayists, in their political speculations, have affected to treat as riches, only, those things which could be removed from one place, to another ; or aptly committed to use, without further amelioration, or additional labor. While they exclude land from the definition of riches, because it could not be transferred, with the person of the owner, from one situation, to another ; and because without manual labor, and cultivation, it supplies nothing to the use and accommodation of society ; except a few wild fruits, and roots. Others consider land as the basis of all riches, and its cultivation as the only subject worthy the attention of Legislators.

Without examining these theories, we may appeal to the common experience, and plain sense of mankind for the correctness of a position, which ascribes to the secure possession of the soil, as individual property, the first step towards personal independence ; the best security for patriotism ; and the most certain source of improvement, prosperity, and riches, of every country. For what in fact is the riches of any country, but the joint produce of its land, and labor ? The labors of agriculture, and the productions of the land in every country, form the basis of population ; which is known to keep pace with the means of support. And these means are again found to proceed step by step, with the encourage-

ment afforded the labors of the husband man. The first and greatest of which is, to give him the sole and exclusive property in his due proportion of the land, in the country.

So perfectly convinced was the Legislature of Virginia of the general truth of these propositions ; and so well were they disposed towards the future prosperity of Kentucky, that all conditions of quit rents, seating, and improving, lands, were abolished—and a pure allodial fee simple in the soil confirmed to those who had existing claims ; and offered to others who should be inclined to purchase her waste and unappropriated lands.

And it is a circumstance worthy of observation, as it is momentous, and singular, that Virginia, requiring of her citizens, who should elect, or be elected, to the Legislature, to give *assurance* of a permanent attachment to, and interest in, the community—have stipulated solemnly to accept the evidence of this *assurance*, only, in the written title to a FREEHOLD ESTATE, in the soil of the commonwealth.

Upon the propriety, and utility of this fundamental regulation in Virginia, we pass no judgment at present. In another place we may offer some considerations to the people of Kentucky, who have introduced other regulations into their own constitution of government. And to whose good sense operating upon their own experience, we shall then appeal.

Not indeed as a popular declaimer ; not as one who writes for selfish purposes, to feed the prejudices of the ignorant, to scatter still further the seeds of an unre-

strained democracy ; or to furnish the trophies of victory to the demagogue ; but to give effect to the best lessons of age, observation, and experience ; to teach our countrymen the way to a stable and durable constitution of government ; to ensure to our posterity, the blessings of representative, republican government ; and with the HEROISM OF A LYCURGUS, to banish ourself forever, from the participation of political power, in order to present to our countrymen, a form of government, which requiring of some a temporary sacrifice of political privilege, should secure to the people, the blessings of genuine liberty ; and to the commonwealth, an everlasting fountain of prosperity, and a brilliant crown of glory. But to resume our subject, of the lands.

A heterogenous mass of rights, and claims, had the Legislature of Virginia to act upon, when they took up the subject of western lands. We shall give some account of them.

OF THE OHIO COMPANY, we have slightly spoken in a former part of this history—THIS WAS A COMPANY, formed some years previous to the rupture between Great-Britain, and her colonies ; consisting of great personages, both in England, and Virginia, whose object was to engross the most valuable lands, on the western waters. Some monopolising privileges had been conferred on it, by the crown of Great-Britain ; and it had employed a few active agents, who had explored, and surveyed, much of the upper country ; and as early as 1776, had made several large surveys in Kentucky ; for the purpose of obtaining patents. Which in

most instances elsewhere, and altogether in Kentucky, had been prevented, by the deranged state of public affairs ; and the succeeding revolution in government.

THE INDIANA COMPANY, was also a combination of land-jobbers, formed nearly upon the plan, of the Ohio company ; and included those individuals, in England, and America, whose object was to engross western lands ; and who were not included in that association. This company had made some surveys on the upper waters of the Ohio ; but it is not known to us, if any were made for it, in Kentucky.

MANY SURVEYS, had been executed, upon military bounty warrants, under the proclamation of George the third, of Great-Britain, bearing date in October 1763.

HENDERSON, & Co. had also, caused surveys to be made in the country, under color of their Indian title.

OTHERS WERE MADE, by Gen. Thompson, on some assumed authority, it is believed, either of himself, or of Pennsylvania, from whence he proceeded, and where he resided.

SOME WERE EXECUTED, for persons, who had selected particular tracts, for themselves, without any other warrant, than their own will.

Very few, or none of these claimants, had obtained a PATENT, either from the royal government, or from the commonwealth, previous to the passage of the land law, of May 1779 ; which was nevertheless held essential to the completion of a legal title.

There were in existence at that time, not only the different species of surveys just enumerated—but the

claims of many persons, who had not proceeded to survey; and who had either settled themselves, or improved on lands, with a view to future settlement; to which they asserted an inchoate right, not sanctioned by law.

OTHERS held a transitory kind of claim called ancient importation rights, which entitled the party to fifty acres of vacant land, for each person imported by him, into the colony.

A few there were, who had paid money into the public treasury under the regal government, for which they were entitled to receive vacant land; and these were called holders of *old treasury rights*.

If there be any other description of right, or claim, it is either forgotten, or has been created by the land law.

Kentucky lands, not the only fund, but by far the richest, for satisfying these different claimants, was now to be offered for sale on terms, which if not the wisest, that could have been devised, were calculated to answer the leading objects of the Legislature; and to inspire every man of enterprise, with the utmost activity, of hope, or fear, for his lot, in the partition of the country.

Under this general aspect of affairs, the Legislature, having first established a land-office, and directed the general duties of the Register, &c. introduced their further act, in the manner following:—

“SECTION I. Whereas the various and vague claims to unpatented lands, under the former, and present government, previous to the establishment of the commonwealth's land office, may produce tedious litigation and disputes, and in the mean time purchasers would be dis-

couraged from taking up lands upon the terms lately prescribed by law, whereby the fund to be raised in aid of the taxes, for discharging the public debt, would be in a great measure frustrated; and it is just and necessary, as well for the peace of individuals, as for the public weal, that some certain rules should be established for settling, and establishing the rights to such lands, and fixing the principles upon which legal and just claimers shall be entitled to sue out grants; to the end therefore that subsequent purchasers, and adventurers, may be enabled to proceed with greater certainty, and safety—*Be it enacted.*” &c. “That all surveys, of waste and unappropriated land made upon any of the western waters before the first day of January 1778 by any county surveyor, commissioned by the masters of William and Mary College, acting in conformity to the laws, and rules of government, then in force; and founded upon charter, importation rights duly proved and certified according to ancient usage, as far as relates, to indented servants and other persons not being convicts, upon treasury rights, for money paid the receiver general, duly authenticated, upon entries regularly made before the twenty-sixth day of October 1763, and not exceeding 400 acres, according to act of assembly upon any order of council, or entry in the council books, and made during the time in which it shall appear either from the original or any subsequent order, entry, or proceedings in the council books, that such order, or entry, remained in force, the terms of which have been complied with, or the time for performing the same unexpired, or upon any warrant

from the Governor, for the time being for military service, in virtue of a proclamation, either from the king of Great-Britain, or any former Governor of Virginia, shall be, and are hereby declared good, and valid ; but that *all surveys* of waste, and unappropriate lands, made by any other person, or upon any other pretence whatsoever, shall be, and are hereby declared null, and void."

Now, by comparing this last member of the preceding sentence, with the previous specification of *surveys*, the reader will at once perceive all those which have been rendered null, and void; the rest will be those, declared valid, and good.

But there were persons, deemed meritorious claimants, who had not made *surveys*. These were such as claimed under the charter, and ancient custom of Virginia upon importation rights as before limited, duly proved, and certified in some court of record before the passing of the act ; those claiming under treasury rights, for money paid the receiver general duly authenticated, or under proclamation warrants for military service, and not having located and fixed such lands by actual surveys, as herein before mentioned, who were to be admitted to *warrants, entries, and grants*, for the same, in manner directed by the act, establishing the land office.

Thus have we endeavored to give a succinct account of the state of ancient rights, before, and after, the passage of the land-law. We shall proceed upon the same plan, to present in like manner, a brief review of those, created by the passage of the law. These subjects, rejecting all embellishment from style, or invention,

pose upon their own importance, their sole claim to attention.

For the early adventurers into Kentucky, the Legislature proceeded to provide, in the following sections:—

“ And whereas great numbers of people have settled in the country upon the western waters, upon waste, and unappropriated lands, for which they have been hitherto prevented from suing out patents, or obtaining legal titles, by the King of Great-Britain’s proclamation, or instructions to his Governors, or by the late change of Government; and the present war having delayed until now, the opening of a land-office, and the establishment of any certain terms for granting lands, and it is just that those settling under such circumstances, should have some reasonable allowance, for the charge, and risk they have incurred, and that the property so acquired should be secured to them :

Be it therefore enacted, That all persons who, at any time before the first day of January 1778, have really and bona fide settled themselves, or their families, or, at his, her, or their, charge have settled others, upon any waste or unappropriated lands on the said western waters to which no other person hath any legal right or claim, shall be allowed for every family so settled, 400 acres of land, or such smaller quantity as the party chooses, to include such settlement ;” for which two dollars and twenty-five cents per hundred acres, were to be paid by the claimant.

Here we have a view, of the provision made by the Legislature, for the *actual settler*, on the land, claimed.

Their next care we shall find extended, to those who settled themselves in villages.

“ Whereas several families for their greater safety have settled themselves in villages or townships under some agreement between themselves of laying out the same into town-lots, to be divided among them, and have from present necessity cultivated a piece of ground adjoining thereto in common :

Be it enacted—That 640 acres of land whereon such villages and towns are situate, and to which no other person hath a previous legal claim, shall not be entered for, or surveyed ; but shall be reserved for the use and benefit of the said inhabitants, until a true representation of their case be made to the General Assembly ; that right and justice may be done therein ; and in the mean time there shall be allowed to every such family, *in consideration of their settlement*, the quantity of 400 acres of land, adjacent to such town, or village, and to which no other hath a legal right ;” and for which the same price was to be paid, as for other settlements. These are the **VILLAGE RIGHTS**. The parties respectively, who were entitled to, the 400 acre settlement, were to prove their right, before authorised commissioners, who were to grant certificate to the successful applicant ; which was to contain a particular location of the land claimed, which certificate was to be entered with the surveyor, who was to survey the same, and upon that survey, being first deposited with the Register of the land office, and no caveat being entered, after six months the Register was to make out the patent, under the lesser seal of the

commonwealth, signed by the Governor, with a certificate on the back, that the party, was entitled to the land within mentioned. Thus was the legal title to be completed.

To every person, entitled to a *settlement*, there was, at his option, allowed a preemption, of any quantity of land, not exceeding 1000 acres, adjoining such settlement.

There were yet other objects of legislative attention. “All persons who, since the said first day of January 1778 have actually settled on any waste, or unappropriated lands on the said western waters to which no other person hath a just or legal right, or claim, shall be entitled to the preemption of any quantity of land not exceeding 400 acres to *include such settlement*;—and all those who before the said first day of January 1778, had marked out, or chosen, for themselves, any waste or unappropriated lands, and built any house, or hut, or made other improvements thereon, shall also be entitled to the preemption of any quantity of land, not exceeding 1000 acres, to include such improvements.”

Those claiming preemptions, for improvements, whether before, or after the first of January 1778, either for 400, or 100 acres, were to present their claims to the commissioners, for adjudication, and if allowed they were to receive certificates, which being deposited with the Register, entitled the party to a warrant, for the quantity of land mentioned; for which he paid the state price. And in like manner the party, who was entitled to a *settlement*, and who in consequence chose to take

a preemption, was also to deposite his certificate with the Register, and upon which, he took out a warrant for the quantity of acres mentioned, at the state price.

Yet, and there were other claimants, of high merit, and demand, who were to be secured in their claims, on the lands of Kentucky—A bounty in land had been engaged to the troops on continental establishment, raised by the ordinances of convention, or the laws of the commonwealth, and to the troops upon Virginia establishment: Wherefore it was “ Enacted, that the tract of country lying on the south side of Green River, and south-east from the head thereof to the Cumberland Mountains, with the said Mountains, to the Carolina line, with that line to the Tennessee River, with that river to the Ohio, and with the Ohio to Green River, is and shall be reserved, until the further order of the General Assembly.” And to this reserve, for the like purpose, the tract of country belonging to Kentucky, on the south side of Tennessee, was annexed, in the succeeding year.

The Grant to Henderson and company stood confirmed, at the mouth of Green River.

Virginia, not less just than bountiful, nor less bountiful than great, having provided for every claim on either her justice, or her bounty, finding herself still possessed of immense quantities of unappropriated lands, proposed these for sale, at the moderate price of forty pounds paper money, (worth forty dollars in specie at that time, but fast depreciating) for each hundred acres. Those who chose to buy, were to pay their money into the treasury

—and take out a warrant from the Register, for the quantity purchased.

The WARRANT, in every instance, was an order to the surveyor, to lay off the quantity of land expressed, for the party—who was directed to lodge his warrant with the surveyor of the county, within which the land proposed to be located was situated; and to direct an entry of it, *so specially, and precisely, as that other persons holding other warrants, might locate the adjacent residuum with safety.* While the subsequent steps to be pursued, for the purpose of obtaining a grant, were pointed out, with much precision; as in the case of a certificate for settlement, mentioned in a former page of this history.

By a subsequent act, tracts of four hundred acres each, were sold to poor persons on credit.

Less we could not say, on this very intricate, and equally important subject, without leaving the general outline which we proposed to draw, very imperfect; while we have for the sake of brevity, omitted many details, highly necessary to be consulted, in order to have a perfect, and practical knowledge of the whole matter. If more is already said on the topic of titles to land, than is usual in other works of a similar kind, we have to observe that we have written no other history, and that in this, we have not exceeded, but rather have fallen short of what in our judgment belongs to the occasion; lest, as the subject is grave, and the style in which it is treated, dull, we might be thought tedious by our own countrymen, and uninteresting, by others: And so our book might be thrown aside, and our time, and labor lost, for no

better reason, than that we had bestowed too much of either, on the subject.

We will then leave it for the present, but with the expectation of resuming it again, and again, as its effects press themselves on our attention. Or a resort to it, shall be necessary to explain any moral, or political phenomenon, in the state of society, the progress of improvement, the organization of our jurisprudence—or the character of our government.

The year 1779 early felt in various ways, the effects of Colo. Clark's expedition, and success ; a general confidence prevailed in the country, which extended itself abroad ; and while it brought more emigrants into Kentucky, it encouraged an extension of the settlements. About the first of April a block-house was built where Lexington now stands, and a new settlement began there under the auspices of Robert Patterson, who may be considered an early, and meritorious adventurer, much engaged in the defence of the country—and who was afterwards promoted to the rank of Colonel. Several persons raised corn at the place that year, and in the autumn, John Morrison, afterwards a Major, removed his family from Harrodsburgh, and Mistress Morrison, was the first white woman at Lexington ; so named to commemorate the battle at Lexington, the first which took place in the war of the Revolution.

Bryant's Station, at present the seat of Joseph Rogers, five miles north-eastward from Lexington was also settled in 1779. Levi Todd, whose residence had been at Harrodsburgh, settled a station, about ten miles

south-westward of Lexington in the same year. This gentleman afterwards removed to Lexington, for greater safety, and became distinguished among her early citizens.

In like manner, other parts of the country under the operation of the same causes; an unpleasant restraint on the one hand, and a diminished apprehension of danger on the other, exhibited similar effects. New settlements were made under the influence of different leaders; some on the waters of Licking, and Beargrass; some in the neighborhood of Boonesborough, of Harrodsburgh, and of Saint Asaphs; and others on the waters of Green river.

These stations consisted of cabins built adjoining, or connected by intermediate palisades: and at the time were synonymous, with forts. Their original population generally small, was various, and depended on the party which could be gotten together; often upon the popularity of the leader. They were receptacles for emigrants, and many of them, by the accession of numbers, and new cabins, swelled into villages in the course of a year or two; and were as suddenly depopulated, when no longer influenced by surrounding danger.

In the progress of the seasons, other events of considerable moment to the quiet, and prosperity of the country were successively evolved. The effects of the land law, was first observed in the accumulated number of adventurers to the country, some with families, more without them. Some prepared to settle down on bare creation; others travelling over it, as explorers, or speculators, anticipating the opening of the land-office.

The Indians as usual, infested the country, and annoyed the stations, or intercepted the hunters—and as usual the people attended to their affairs, in the midst of hostility.

A situation so insecure & restless, could but lead to reflections on the means of rendering it more agreeable; and of diminishing the danger, if possible, which every where presented itself. In the informal councils of the people accidentally convened, it was determined, that to free their own habitations from war, it was necessary to carry it into the enemies country. Of all the Indians, who had mauauded in, or depredated on, Kentucky, the Shawanees, had been the most troublesome, and hostile. An expedition against Chillicothe, one of their principal towns, was determined on, and preparations commenced for its execution. The officers were designated, and Colonel John Bowman, was to command. This gentleman had been among the early settlers of Kentucky—in 1777 he had marched one hundred men to her aid, had become a resident, and was regularly commissioned a Colonel in the militia. He stood well with the people, and they readily repaired to his standard, for the intended expedition, to the number of one hundred and sixty men. Neither the courage nor military skill, of Colonel Bowman had been reproached; he was a portly, good looking man; and every body thought him a soldier, worthy of his rank, as they marched under his command to Chillicothe. Benjamin Logan, James Harrod, and John Bulger served under him as Captains; and many of the best men in the country, were his soldiers.

The expedition set out from Harrodsburgh in the month of July, its destination well known, and its march so well conducted that it approached its object without discovery. From this circumstance it would seem that the Indians were little apprehensive of invasion from a country which they annually invaded ; or so secure in their courage, that they feared no enemy ; for no spy was out to foresee approaching danger. Arrived within a short distance of the town, night approached, and Colo. Bowman halted. Here it was determined to invest, and attack the place, just before day ; and several other dispositions were made very proper for the occasion, indicating a considerable share of military skill, and caution, which gave reasonable promise of a successful issue. At a proper hour the little army was put in motion, and at the distance agreed on, it parted, as had been concerted ; the one division commanded by Bowman in person, the other by Captain Logan ; to whom precise orders had been given, to march on the one hand half round the town, while the Colonel, passing the other way was to meet him, and give the signal for an assault. Logan immediately executed his orders, and the town was half enveloped ; but he neither saw nor heard, the commander in chief. Logan now ordered his men to conceal themselves in the grass, and weeds, and behind such other objects as presented themselves ; as the day began to appear, and he had not received the expected orders to begin the attack : nor had he been able, though anxious, to ascertain what had intercepted, or delayed the march of his commander.

The men in shifting about for places to hide, had alarmed one of the Indians watch-dogs, who set barking, with the agitation of apparent fright. This brought out an Indian warrior, who proceeded with caution, on the way the dog seemed to direct his own attention, and in a short time if he had continued his progress, might have been made a prisoner ; but at this critical moment a gun was fired by one of Bowman's party, which the Indian well understanding, gave a loud, and instantaneous whoop, and away he ran to his cabin. The alarm was immediately spread through the town, and preparation made for battle. The party of Logan was near enough to hear the bustle, and to see the women and children escaping to the cover of the woods, by a ridge which ran between them, and where Colo. Bowman with his party had halted.

In the mean time the Indian warriors equipped themselves, with their military habiliments, and repaired to a strong cabin ; no doubt designated in their councils for such occasions. By this time day light had disclosed the whole scene, and several shot were fired, and returned by the Indians, and the party with Logan, some of whom had taken possession of a part of the cabins from which the Indians had retreated, or rather perhaps it should be said, repaired to their strong hold. The scheme was formed by a few of the men of making a movable breast-work, or battery, out of the timber with which the doors and floors of the cabins had been composed ; and of pushing it forward against the cabin in which the Indian warriors were posted : Others of them

had taken shelter, from the fire of the Indians, behind stumps, or logs, and were waiting orders ; when Colo. Bowman dispatched one of his attendants, to call a retreat. This was done, to the astonishment of Logan, and his party. And what rendered it the more distressing, was the unavoidable exposure which the men must encounter in the open field, or prairie, which surrounded the town ; for *they were apprised that* from the moment they left their cover, the Indians would fire on them until they were beyond the reach of their balls. A retreat however became necessary, and every man was to shift for himself. Then, instead of an orderly, commanding, and well supported retreat, a scene most unmilitary, and mortifying took place : here a little squad would break from behind a cabin ; there individuals would rise from a log, or start up from a stump, and run with all speed, to gain the neighboring wood.

At length, the party once more got together, after the loss of several lives ; and the retreat was continued under the command of Colo. Bowman ; without any one being able to tell why the attack was not made, why the retreat had been ordered, or why the expedition had totally failed. This however, was but the introduction to disgrace, if not of misfortune, still more extraordinary, and distressing. The Indian warriors sallied from the town, about twenty, or thirty, in number, and commenced a pursuit, of the retreating invaders of their forests, and of their fires, which they continued for some miles without being checked ; harrassing and galling the rear of the fugitives.

Being thus pursued, and pressed by the Indians, Colo. Bowman at length halted his men, in a low piece of ground covered with brush, and shrubs, as if he sought shelter from the enemy behind them. This situation, was most ill-chosen, if chosen at all; and the Indians, scattering through the woods, in a little time by their shouts and firing, seemed to surround, the halted troops; who stood as marks to be shot at. In this situation, Bowman seemed to have lost his recollection, gave no orders, and stood as one panic struck, or stupid with fear, or astonishment. Some of the men fired, but without any precise object; nor is it easy to conjecture what would have been the final result, if James Harrod, John Bulger, and a few others, had not scoured the woods on horseback, now in one direction, then in another, rushing on the Indians wherever they saw them, until they were either killed, or dispersed.

This being done, Colo. Bowman took up his line of march, and without any other remarkable occurrence, with equal quiet, and safety, returned to Kentucky.

Upon this expedition, Colo. Bowman lost nine men killed, and had one other wounded; he took two Indian scalps; but these formed a trophy, of little renown.

Had we time, or was it the part of an historian to philosophise on the physiology of man, to account for the strange, and apparently contradictory phenomena in his character, we should probably be compelled at last to confess, that we could no more assign the precise cause of the failure of this expedition, than has by others been assigned, for similar panics, and failures, in other times, and

countries. Accounts of which are read in the ancient histories. As when on the Liris, the army of Pyrrhus encountered that of the Roman Consul Laevinus; on the Tacinus, when Hannabal fought, with Scipio—and again at Cannæ, when the army of Flaminius was broken, and ten thousand Romans, impelled by their fear, threw themselves into the Lake Thrasymenus. Or when in Beotia, Demosthenes, after exerting the utmost powers of eloquence to rouse the country to arms against Philip, fled from Chæronea, and imparted his panic, to the army of Greece.

Other instances have occurred in times more modern; as when, before St. Omens, an army of 50,000 Flemings, were routed by a sally from the garrison, and so panic struck that they dispersed, and never more could be rallied.

The battles of Cressy, Poitiers, and Agincourt, which yielded victories to inferior armies, can only be explained by the panic, and dismay, of the vanquished hosts. While the case, of Braddock, of Grant, and of St. Clair, belong to our own times.

Nor would we have it thought, that Colo. Bowman, was deficient in personal courage, or a competent share of military prowess, for an expedition and command of the kind, we have described. We add with pleasure, that he was a valuable member of society, and a meritorious character among the early settlers in the country. But he never attained any military fame; at that time the best evidence of merit, in a Kentuckian.

In the summer of this year many families in the Atlantic parts of Virginia, and in the neighboring states, prepared to remove to Kentucky ; besides a very great number of individuals, whose existing claims, or intended acquisitions, brought them out in the succeeding autumn.

By the land-law, commissioners were to be appointed, by the Governor, with advice of the council of state, to hear, determine and settle, all disputes relative to land-claims, and to grant certificates of settlement, and pre-emption, to such as were entitled. The county of Kentucky, was subjected to the exclusive jurisdiction of one of these courts, to be composed of four members, any three of whom to form a quorum, with powers to appoint its own clerk, and to require the attendance of the sheriff of the county ; to administer oaths to witnesses and others, necessary for the discharge of their duties ; to punish contempts, enforce good behaviour in their presence, and to award costs.

A surveyor was to be appointed, for the county, who was to open his office, for the reception of entries, for land, and for carrying them into effect by survey.

The commissioners when appointed, and commissioned, were immediately to give at least twenty days previous notice by advertisements, at the fairs, meeting-houses, and other public places in their district, of the time and place, at which they intended sitting, for the purpose of collecting, hearing, and determining the claims and titles to land : requiring all persons interested therein, to attend, and lay in their claims : and were.

further authorised to adjourn from place to place, and from time to time, as their business might require. To guard against the mischievous effects of a discontinuance, it was provided, that if the court should fail to meet at any time to which they had adjourned, neither their commissions, nor any matter depending before them should be thereby discontinued; but they should proceed to business when they did meet, as if no such failure had happened. The clerk was charged to keep exact minutes of all the proceedings of the commissioners, and enter the names of all persons to whom land was adjudged, either for settlement, and preemption, or otherwise, with their *respective quantities, and locations*. The clerk was also authorised and required, to issue process, for the attendance, of parties, and witnesses, when required; which the sheriff was charged to execute.

Judgment when rendered, was to be final between the parties to the contest; except where one of them could not procure the attendance of his witnesses; in which case it was to be adjourned to the General Court, for further discussion.

But as it was foreseen that by this summary proceeding, persons at a distance might not have timely notice, it was also provided, that no grant should issue upon any of the claims determined by the commissioners, until the first day of December, in the year one thousand seven hundred and eighty; and in the mean time, any person agrieved by their judgment, might enter a caveat, in the General Court; and upon proof of the want of notice, when the commissioners met, the court was to grant a

re-hearing, and might, to attain justice, reverse the former judgment, and order a grant to issue to the claimant.

The officers, and soldiers, of the Virginia line, in the service of the United States, had one year from their resignation, or discharge, to claim their rights to settlement and pre-emption, and a similar provision was afterwards extended to the state troops. The effect of these privileges, was retrospective, and might overreach, and prostrate the previously allowed claims of other persons. Whatever may be said of the inexpediency of such legal provisions, in relation to others; yet considering the situation of the persons engaged in the public service of their country, they must be admitted to be just. Nor could the sentiment and feeling which at first dictated them, be resisted at the time, or checked for some years afterwards; and which operating through the medium of the county courts, who succeeded to the commissioners, were about to produce the most serious evils, when the Legislature repealed the law, or limited in point of time, the exercise of those powers, about to prostrate the rights of others.

The governor having appointed and commissioned, William Fleming, Edmund Lyne, James Barbour, and Stephen Trigg, Esquires, all resident in other parts of Virginia, as commissioners for Kentucky, it was some time in October of that year before they arrived in the country. On the thirteenth day of that month; at "Saint Asaphs" the court was formed of the three gentlemen first named; John Williams junior was appointed their clerk; the sheriff gave his at-

tendance; and a large concourse of people surrounded the sittings. The Court adjourned, and met the next day at ten o'clock, when the claim of Isaac Shelby, to a settlement, and preemption, *for raising a crop of corn in the country in the year 1776*, was presented by Captain John Logan, and granted by the court, for the land where Shelby afterwards made his farm, about one and a half, or two miles South Eastwardly from the Knob Lick. This application, and grant, were followed by many others of a similar nature, or for single preemptions, for selecting, and improving, land in the Country.

To every person obtaining a judgment in his favor, whether for settlement, and the preemption adjoining—or for the single preemption, of one thousand, or for four hundred acres, the Court were to deliver a certificate, containing the quantity of land, and its LOCATION. Specimens of these certificates, may hereafter, be matters of curiosity, as well as subjects of reference in the further developement of our land titles. We shall therefore give a literal transcript of one, of each species of claim.

“Michael Stoner, this day appeared, and claimed a right to a settlement and preemption to a tract of land lying on Stoners fork, a branch of the south fork of Licking, about twelve miles above Licking Station, by making corn in the Country in the year 1775, and improving the said land in the year 1776, satisfactory proof being made to the Court they are of opinion that the said Stoner has a right to a settlement of 400 acres of land including the above mentioned improvement, and a preemption of 1000 acres adjoining the same, and that a certificate issue accordingly.”

“ Joseph Combs, this day claimed a right to a pre-emption to 1000 acres of land, lying on Comb's, since called Howards Creek, about eight miles above Boonesborough, on both sides of the creek and about 3 or 4 miles from the mouth of it, by *improving*, the said land, by building a cabin on the premises in the month of May 1775. Satisfactory proof being made to the Court they are of opinion that the said Combs has a right to a preemption of 1000 acres, including the said improvement, and that a certificate issue for the same”

“ Robert Espie, this day appeared, and claimed a pre-emption to 400 acres of land, he being a settler in this country, *who made corn in the year 1778* as appears by testimony, lying on the waters of Paint-Lick, near the land of William Kenedy, at a spring, with the letters R. A. cut on each tree, The court are of opinion that the said Espie has a right to the preemption of 400 acres of land according to law, and that a certificate issue for the same.”

To accommodate the people in the different parts of the country, the court of commissioners adjourned successively to the principal stations, sitting at Harrodsburgh, on the 26th of October; at which place Stephen Trigg took his seat in the Court; on the 16th of November, at the Falls of Ohio; and on the second of December again at Harrodsburgh. From this place the court adjourned to Boonesborough, and on the 18th of December opened its session at that place. The 3d of January 1780, the court sat at Bryant's station. Again it was opened at Harrods-

Burgh on the 23th of the same month; and thence adjourned to St. Asaphs, where it sat on the 20th of April. Having finished their business—as after proclamation for claimants to come forward, none appearing, the court on the 25th of the month declared the expiration of its powers, & dissolved its session. Having previously granted about three thousand claims, of different descriptions.

It is reasonable to imagine that great activity and bustle ensued from the acts of the commissioners, and the interest thereby created. It would be difficult to delineate the various ramifications into which these circumstances, propelled individuals; from which we may safely absolve ourself, as being unimportant to history.

George May, was appointed the surveyor of Kentucky, and gave his attendance, to the duties of one of the most lucrative offices in the commonwealth, if we take into consideration that all surveying fees belonged to him, subject to a deduction of one-sixth part only; and that the whole country was to be surveyed.

In the mean time the winter proved to be uncommonly severe; insomuch that it was distinguished by the name of the **HARD WINTER**. The rivers, creeks, and branches, were covered with ice of great thickness, and the smaller streams, almost turned into solid crystal. The snow by repeated falls increased to an unusual depth, and continued for an extraordinary length of time; so that men and beasts, could with difficulty travel, and suffered greatly for food, as well as by means of the frost.

This winter found, and arrested the progress, of many families, in the wilderness, on their way to Kentucky;

and inflicted on them the accumulated stings of both hunger, and cold, in a most painful degree. Their travelling stock of provision being exhausted, many of them had no hunter with them, to kill the wild game, their only resource ; and even the hunters belonging to other families, found it extremely difficult to traverse the hills, in search of the buffaloe, or deer ; and those when found, were often so poverty stricken, as to be unwholesome food. This soon became the case with the tame cattle, which were on the road ; many of them died for want of food, on the high land where cane was not to be had ; or were drowned in the cany bottoms, by the sudden rise and overflowing of the rivers, at the breaking up of the frosts. And it is a melancholy fact, that such dead beasts became the necessary viands of some of those unfortunate sufferers. Their arrival in Kentucky afforded them a supply of wholesome meat, but corn was scarce, and bread, for a while obtained with difficulty, soon disappeared. The very great number of persons who had moved to the country in the fall 1779, or who had attended the commissioners, compared with the crop of corn in that year, had exhausted all that kind of supply long before the succeeding crop was fit for use, even in the roasting-ear state ; in which it was eaten by the inhabitants, & sojourners, as a substitute for bread : & was found to answer the purpose extremely well. But while this was growing, wild meat, the game of the forest, was their only food ; and this without bread, or vegetables, was the daily diet, with milk, and butter, which equally required bread, of men, women, and children,

for some months. Delicate, or robust; well, or invalid; rich, or poor; one common fare supplied, and one common fate attended, all. The advance of the vernal season had brought out the Indians, as usual; and danger was added, to whatever else was disagreeable, or embarrassing, in the condition of the people.

The number of the stations continued to increase, and many of them became strong. The attention of the enemy was of course divided by a multiplication and extension of the objects which attracted it; Kentucky began to have a frontier, and some parts became safer, while others were more exposed.

A number of persons visited the country this year; some possessed of property, information, and respectability, in the interior, came out with a view to future settlement. Among them was Colo. Thomas Marshall, of the Virginia Regiment of Artillery, to whom the Governor had granted permission of absence for the purpose of visiting the country, and locating land. At the same time Col. George Slaughter descended the Ohio with one hundred and fifty State Troops to the Falls; where Col. Clark had established his head quarters. Here he erected a fortification, having some analogy to the military art; in this he placed several pieces of small cannon, and gave to Kentucky, an invincible barrier, on her Northwestern frontier. This garrison, however invulnerable to the assaults of the Indians, seems to have afforded but little protection to the neighbouring settlements: While it had the effect apparently of drawing the Indians into

that quarter. The vicinity of the Ohio, which was an ostensible line of boundary, offered to the savages, several advantages of no inconsiderable magnitude. They could approach its bank, upon their own ground; they could cross it when convenient, reach the settlement, strike a blow, and recross, before a party could be collected to pursue them. The river always presented an object of difficulty, and very often an insuperable obstacle, to further pursuit. In the settlements of Beargrass, several lives were lost, and some prisoners, and property taken.

On the tenth of May in this year, the Surveyor, opened his office, for the reception, and location of Treasury Warrants.

The great object which now absorbed public attention, was the entering and locating land warrants, of which great numbers had been obtained. Many persons in the Atlantic parts of Virginia, and other States, who had never seen Kentucky, and others in Europe, and the West-Indies, had sent warrants to the country, with which to take up land. Many who had come to the country, for the like purpose, being deterred by the apprehension of danger from exploring the lands, and fixing objects of description for their locations, in like manner held warrants, which they could not realise. While on the other hand, many of the early settlers, and hunters in the country, availing themselves of their knowledge of these things, became the locators, of those warrants, upon contracts to share the land. These contracts were generally for one-third part of the land located—but afterwards

when vacant land became more scarce, and warrants more plenty, one half was demanded, for location, and conceded by the owners of the warrants.

The report of Indian sign, or that a man was shot at, or killed, or taken prisoner, gave occasional, and momentary recollections of danger—produced a little bustle—perhaps forced out a scouting party—and for a moment, suspended, or diverted the mind, from the great, and important pursuit of the day—the ACQUISITION OF LAND.

In the mean time however fate, was preparing her means at Detroit, and the Indian towns, north-west of the Ohio, to inflict a serious blow on the population and spirits of the country. The instruments employed, were the British Canadians, and savage Indians; her devoted objects were Ruddle's, and Martin's, Stations.

Without a metaphor, and in plain historic guise, the British Commandant at Detroit, had determined to strike a blow at Kentucky, the ensuing summer, with more than usual violence. And for this purpose, had concerted, with the Indian Chiefs of the neighboring towns, an expedition of much strength, and military preparation, against the settlements on Licking. The first of June was appointed for the rendezvous; and an army of six hundred men, Indians and Canadians, with two field-pieces, filled, and fortified, his ample ranks, of painted, and frightful warriors; when Colonel Byrd, an officer in the service of his Britannic Majesty, commenced his march. The assemblage, and movement, of this murderous host, were equally unknown to the people of

Kentucky, until the twenty-second of June; when it made its appearance before Ruddle's Station, a stockade fort. This was one of those stations, which had been settled the preceding year, on the north bank of the south fork of Licking, a few miles below the junction of Hinkston, and Stoner; another of them was Martin's Station, up Stoner's fork, about five miles from its mouth.

Colonel Byrd, had moved his artillery, by water up Licking, to the junction of the south fork, and thence by land, the season being dry, and the south fork low, to Ruddle's. Upon the approach of this very formidable enemy, to Ruddle's Station, the fort-gates were shut and preparation made for defence. But upon the display of numbers, and the shew of cannon, the garrison was summoned to surrender at discretion, to his majesty's arms—and promised security for their lives. What if their goods and effects were devoted to the pillage of the Indians?—In case of assault, their persons could but share a like fate. What could a feeble garrison, in a stockade fort do, without cannon to repel, or cavalry to disperse, such a force, so appointed? They could surrender—and this they did. The fort-gates were thrown open; and the Indians rushed in, to secure their prisoners, and to plunder their goods. No wonder if they frightened the women, and children, with the ferocity of their looks, and the rudeness of their manners—when with their tomahawks, they killed three reluctant prisoners. The rest were loaded with the spoil; which they were forced to carry on their backs, for their savage conquerors. In vain shall we describe the taking

of Martin's Station—it was but a repetition of the same barbarous scenes.

The prisoners, and plunder, of both places were soon gotten together ; and no time lost in commencing a retreat from the country ; by the rout of approach.

This may be considered as singularly fortunate for the other stations, on the north side of the Kentucky river ; for their united force could not have resisted with effect so formidable an invasion. Nor would it have been practicable to have assembled that force. The next gratification to that of not being attacked, of which Lexington, Bryant's, Grant's, and Strodes' Stations, were susceptible, was that of knowing, the enemy had left the country. Some men who were absent from the captured stations, and who had escaped the common fate of their companions, returning to their homes, discovered the melancholy state of affairs, and soon spread the alarm, to the neighboring Forts. Nor was it necessary to magnify the danger, in order to agitate them, with frightful apprehensions. Feeble was the population, and few the men of battle at that time, north of the river Kentucky. Not three hundred in all.

When we reflect upon this crisis, it seems altogether within the range of probability, that could the Indians have been kept together, for a few weeks, they might have totally depopulated the country. And yet we have seen this formidable and terrifying invasion subside, and this host of savages disappear, without any real opposition ; either from a fear of the unknown force that might have been brought to act against it ; or satisfied with its

conquest, and intent alone to secure its prisoners, and spoil : or else that, from some national prejudice, inveterate custom, or superstitious notion, the Indians cannot be kept in the field, after a victory, in which they have taken prisoners. To whatever cause this sudden retreat may be ascribed, it will forever remain a subject of unfeigned congratulation to the people of the country.

Upon this occasion, it is said the retreat was executed with great haste, if not precipitation. The prisoners were forced along, with violence to the women and children, who were unable to perform the journey on foot, with the required speed ; such as sunk under their burthens, or were unable to keep their places were relieved from the weight of the one, and the fatigue of the other, by the tomahawk, of their savage, and vindictive conquerors.

Such prisoners as survived, were dispersed among the Indians, or carried to Detroit, from whence, after several years detention, they returned, to different parts of the country, as fortune, or their own exertions, furnished them the means. Some of those detained by the Indians, were afterwards given up to their countrymen, in subsequent treaties.

The occurrences of this summer, and a conviction generally prevailing, of the good consequences which would result to the country, from a prompt, and vigorous retaliation on the towns of the Indians, enabled Colonel Clark, then at the Falls of Ohio, to strengthen his regiment, by a call on the militia of Kentucky, and to lead an expedition into the enemy's country. On this

occasion his call for Kentucky volunteers, was very cordially received, and cheerfully obeyed.

Having thus rallied a respectable portion of the country round his own standard, Colo. Clark commanded an expedition against the Pickaway, a principal town of the Shawanees, on a branch of the Great Miami. The march was conducted with that prudence and dispatch so conspicuous in the movements of that officer. If the Indians had been apprised of his designs, they were not terrified, by his approach; but with the bravery, for which their nation was renowned, determined to defend, their cabin-walls, after sending their women, and children to the woods, for safety.

The town was no sooner approached, than assailed; a sharp conflict took place, which for a moment suspended its fate; seventeen of the warriors having fallen, the rest fled, and their residence was reduced to a heap of ashes. Their vegetable gardens, and corn fields, were laid waste, and whatever might conduce to their sustenance, destroyed. This victory, decisive for the campaign, cost Colo. Clark an equal number of lives; seventeen of his bravest men fell by the fire of the enemy, and several others were wounded.

From the Pickaway—Colo. Benjamin Logan, was detached, by the commander in chief, to reduce a small town, about twenty miles from the Pickaway; but the alarm being spread, and the Indians receiving intelligence of his approach, saved themselves by flight; leaving their habitations, and a store, from which the Pickaway, had been principally supplied with arms and ammu-

nition, unprotected ; these he burnt : the store being the main object of the expedition.

Colonel Clark having thus succeeded, returned ; and resumed his post at the Falls of the Ohio, and the militia their different stations, to take their usual round in the occurrences of the times.

The Indians finding employment for the residue of the year, in re-settling themselves, and in providing sustenance for the ensuing winter, gave no further disturbance that season.

Daniel Boone, having adjusted some very unpleasant family affairs in North-Carolina, and returned to Kentucky, on the 6th of October he and one of his brothers went to the Blue Licks ; and on their return home, were fired on by the Indians, who killed the brother : Daniel fled, and was pursued by the savages aided by a dog, who scented his tract for about three miles, when he came up so close to Boone, that he shot him, and made his escape.

The first of November, the county of Kentucky was divided into three parts, each of which composed a new county.

“All that part of the south side of the Kentucky river, which lies West and North of a line beginning at the mouth of Benson’s Big Creek (now opposite Frankfort) and running up the same and its main fork to the head ; thence South to the nearest waters of Hammon’s Creek, and down the same to its junction with the Townfork of Salt River, thence South to Green River, and down the same to its junction with the Ohio” was to be called, JEFFERSON COUNTY. “All that part of the said

county of Kentucky, which lies north of the line beginning at the mouth of the Kentucky River, and up the same and its middle fork to the head, and thence southeast to the "Washington line" was called "Fayette county." And "all the rest of the said county of Kentucky" was called Lincoln county."

From this time, the business of entering and surveying land, was suspended until after the new counties were organised.

In this year, Colonel Clark, descended the Ohio, with a part of his regiment, and after entering the Mississippi, at the first high land on the eastern bank, landed the troops, and built, Fort Jefferson.

In a military view, this position was well chosen; and had it been well fortified, and furnished with cannon, would have commanded the river. Without a doubt, at some future day, it will be a place of great importance in the western country.

It is within the limits of Kentucky, and never should be alienated. A suitable garrison at that place, should it ever be necessary, would hold in check, both the upper and lower Mississippi.

The occupation of it by Colonel Clark, for the time, added the Chickasaw Indians to the numerous enemies of Kentucky; and made it advisable to evacuate it, as a mean of restoring peace. The Fort, was, on their territory; it had been erected without their consent; and those who made it a point of friendship not to invade Kentucky; resented with a high sense of indignation, this violation of their country.

The evacuation of the fort, was the signal of peace, which has been faithfully observed, as far as we have any information.

The line of latitude which at thirty-six degrees, thirty minutes north separated Virginia, and North-Carolina, had not been traced between the colonies, farther than the Allegany Mountain.

But the settlements having extended, on both sides much further, very serious inconveniences, and some disputes had ensued between the borderers, as well on the subject of property, as of jurisdiction.

The governments of the two states, were at length induced to act on the subject of controversy ; and each appointed a commissioner, possessed of astronomical, and mathematical science, for the purpose of extending the line to the Ohio, or Mississippi, as the one, or the other, might first be presented. On the part of Virginia was appointed, Doctor Walker ; on the part of North-Carolina, Colonel Henderson.

These gentlemen with their attendants, and apparatus met agreeably to appointment, and commenced the business, of their mission. When one, or both of them, making his observations under the influence of state prepossession, they soon disagreed in the result ;—and each adhering to his own opinion, they crossed each other's line, and continued two lines, instead of one line of boundary, as far as the top of Cumberland Mountain. Here, they were some distance apart, and here Henderson, desisted ; but the Doctor, continued his line, crossing the Cumberland River twice, to the Tennessee River,

at which he stopped. Having inferred, very correctly, that the line when extended, would strike the Mississippi.

So far from this essay to adjust the boundary between the states, having produced the desired effect, it served to increase the inconveniences previously felt. Notwithstanding which, for many years, the boundary remained unsettled, between those states—and to this day remains unadjusted between their respective offspring, Kentucky, and Tennessee. How long that principle of foresight, and precaution of governments, which ought to actuate them in discerning evils, and in applying suitable remedies, in proper time, will preserve its usual torpor; or how soon the conflicting interests of the adjacent inhabitants, may rouse it from its slumbers, are alike difficult, and unnecessary, for the historian to pronounce.

The approaching winter arrived, and was very severe, which occasioned great distress, among the resident inhabitants, for provisions: as many of the emigrants arrived after the expiration of the hunting-season, and moreover were not skilled in killing the wild game, their only resource for meat; nor was bread to be had in plenty, in the country.

They however hoped for better things the next year.

As usual, Indian hostility, was again revived, and several maulauding parties entered Jefferson county as early as March; Colonel Wm Lynn was killed; also Captains, Tipton, and Chapman, by small detachments, who way-laid the paths, on Beargrass.

In pursuit of one of these parties Captain Aquilla Whittaker, with fifteen men, having trailed the Indians to the Ohio at the foot of the Rapids, and supposing they had crossed the river, embarked in a few canoes to follow them, when to the astonishment of the Captain and his company, the Indians fired on them from the rear, and killed and wounded nine of the party ; the residue relanded, and beat the Indians.

In April, a station settled by Squire Boone, near where Shelbyville now stands, became alarmed by the appearance of Indians, and after some consultation among the people, they determined to remove to Beargrass. In executing this resolution, men, women, and children, encumbered with household goods, and cattle, were overtaken on the road, near Long Run, by a large party of Indians, attacked, and defeated, with considerable loss and general dispersion.

Intelligence of this disaster reaching Colonel John Floyd, he in great haste, raised a company of twenty-five men, and repaired toward the scene of the late encounter ; intent upon administering relief to the sufferers, and chastisement to the enemy ; and notwithstanding he divided his party, and proceeded with considerable caution, such was the address of the Indians, and the nature of the country, that he fell into an ambuscade, and was defeated, with the loss of half his men ; who it was said killed nine, or ten of the savages. The Indians are believed to have been three times the number of Colonel Floyd's party.

The Colonel narrowly escaped, with the assistance of

Captain Samuel Wells, who seeing him, on foot pursued by the enemy, mounted him on his own horse, and fled by his side to support him.

This conduct of Captain Wells, was the more magnanimous, inasmuch as he and Colonel Floyd, were not friends at the time. This service however was of a nature to subdue all existing animosity, nor was it bestowed on an unworthy object. No man knew better than Floyd, how to requite, so gallant, and disinterested an action—he lived, and died the friend of Wells.

The 9th of May in this year (1781) Samuel M'Afee, and another man, had set out from James M'Afee's Station, to go to a plantation at a small distance; and when advanced about one-fourth of a mile, they were fired on—the man fell, and Samuel M'Afee, wheeled and ran towards the Fort; in fifteen steps he met an Indian, they each halt, and present their guns, with muzzles almost touching; at the same instant, they pull trigger; M'Afee's gun makes fire, the Indian falls, with a flash in his pan. M'Afee continues his retreat, but the alarm being given, he meets his brothers Robert M'Afee, and James M'Afee. Robert, though cautioned, ran along the path to see the dead Indian; by this time several Indians had gotten into the path between him and the Fort. All his dexterity was now put to the test, he flies from tree, to tree, aiming to get into the fort; an Indian pursues him, he throws himself over a fence one hundred yards from the Fort, the Indian takes a tree; by this time Robert, was prepared for him, and as he put his head out, by the side of the tree, to look for his object, he caught

M'Afee's ball in his mouth ; in this he finds his death, and M'Afee escapes to the Fort.—In the mean time, James M'Afee, was fired on by five Indians lying in ambush, he flies to a tree for safety, and immediately receives a fire from three, or four more, on the other side, which knock up the dust about his feet, without doing him any injury ; he now flies to the fort, and enters unhurt. Such are the incidents of Indian warfare : and such the providential escape of the three brothers. By this time, the Indians appeared in all directions, and with horrid yells commenced, a fire on the Fort. It was returned with spirit ; the women cast bullets, and the men discharged them at the enemy. This action lasted about two hours. The Indians then retired. The firing had alarmed the neighborhood, and soon after the retreat of the Indians, Major M'Gary with some of his men, and others from different places to the number of forty, arrived, and determined to pursue the savages. This was done with celerity, and at the distance of a mile, the enemy were overtaken, attacked, and defeated.

They were pursued for several miles, and completely routed. Six, or seven Indians were seen dead, and others observed to be wounded. One white man was killed, and another died a few days afterwards of his wounds.

The Indians killed all the cattle they found about the station, previous to their retreat. From this time M'Afee's Station was never more attacked, although it remained for some years a frontier.

In the next year, a rumor of Indian sign, had occasioned Col. Floyd, to order a party of the militia to scour the

country on Salt-River, some of whom were from Kinche-loc's Station, consisting of six or seven families, on Simpsons Creek; the night of the 1st of September after they returned, the Indians fell upon the place by surprise, and were even in the houses before the people were awake.

They killed several persons, men, women, and children, and were proceeding to destroy, or captivate the rest, when the darkness of the night favored the escape of a few.

Among them was Mrs. Davis, whose husband was killed, and another woman, who flew to the woods, where they were fortunately joined by a boy of twelve years old, by the name of Ash, who conducted them to Cox's Station.

William Harrison, after placing his wife and a young woman under the floor of the cabin, escaped, as they did also, when the Indians had retired.

Thompson Randolph, defended his family like a hero—he killed several Indians—his wife with an infant in her arms, were killed by his side—his remaining child he put into the loft of the cabin, and escaped with it through the roof. When he alighted on the ground, he was attacked by two Indians—the one he stabbed, the other he struck with his empty gun—they both left him, and he secured his retreat.

Several women and children were killed after they were made prisoners, but we omit those details of savage barbarity, which shock the senses, and freeze the blood, to attend to the situation of Mrs. Bland, who escaped from them the second day after her captivity; and who totally

ignorant of the country, rambled through the woods, for eighteen days, without seeing a human face, subsisting upon sour grapes, and green walnuts, until she became a mere walking skeleton, without clothes; when she was found, and taken to Lynn's Station; where kindness, and cautious nursing, recovered her to life, and her friends.

The situation of Mrs. Polk, another prisoner, with four children, was almost as pitiable; she was far advanced in pregnancy, and was compelled to walk, until she became almost incapable of motion—when about to be tomahawked by one Indian, another saved her life, treated her kindly, and soon after put her on a horse, with two of her children, and took them safe to Detroit. Here she was treated with civility, and by means of the officers, obtained her other two children from the Indians, wrote to her husband, who was not at home when she was made prisoner; he went after her, and brought her, with all her children, five in number, safe to Kentucky. The other prisoners, also returned, after some time.

This narrative should be read, in page 170, immediately preceding the paragraph in which General Clark is mentioned to have proposed the expedition.

CHAPTER IV.

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The new counties of Jefferson, Lincoln, and Fayette, organised. The Author's arrival in Kentucky—state of the settlements. Rumors of a general peace—The battle, and death of Captain Estill—Defeat of Holder, and his party. Grand Indian invasion—Siege of Bryant's Station, & battle of the Blue Licks—Gen. Clark's expedition against the Shawanese—A singular incident near the Crab Orchard—Location of Lands resumed—Specimens of Entries—and the cause of interfering claims explained.—Preliminary articles of Peace—incidents of negotiation—Origin of new disputes with Great-Britain. District Court established in Kentucky—Origin of Danville—incidents of population, and improvement in the country.

IN Kentucky, the year 1781, was productive of fewer occurrences of moment, than several of the preceding, had been. The destruction of the Indian Town by Colonel Clark the year before, seems to have made a strong impression on the Northern Tribes. Those of

the Western Towns having been greatly checked and restrained, by the consequences of his success in 1778, and 1779.

Those Indians now found that in defiance of all their secret mischief, and open hostility, the country populated—the number of its forts increased; and the surveyors, had again began to measure the land: This latter circumstance had always been peculiarly omenous to them, as was the appearance of honey bees among them. The last expedition had laid waste their towns, destroyed their corn, and distressed their women, and children. They clearly perceived that it was necessary to yield the contest, with the Kentuckians; or by one united, and grand effort, to recover the country from them. This year was spent by them, in bringing about this general concert: A great council was held among the Shawanese, and runners sent to the neighbouring tribes, on the Wabash, and to those bordering on the lakes; nor was the aid of their good ally, George the third, forgotten, unasked, or denied. They kept Kentucky alarmed in the mean time, without attempting any thing more than predatory warfare; reserving for the next year, the result of their grand arrangements.

In Kentucky, the increase of counties, had given rise to various interests, by holding out a number of new offices both civil, and military, to be filled. For each county was entitled to similar and equal organization. It is believed that John Floyd, was appointed county Lieutenant of Jefferson; Stephen Trigg, of Lincoln; and John Todd, of Fayette; and probably Wm. Pope,

of Jefferson, Benjamin Logan, of Lincoln, and Daniel Boone of Fayette, were commissioned as Colonels of the second grade. But there being no records within our reach, to which we can resort for information, these names are selected, from an association in our memory, as the most probable, without being able to affirm with certainty. The county courts were composed as before of the most respectable citizens, who appointed their own clerks; while the sheriff, coroner, and surveyor, of each county, were commissioned by the Governor. These courts had only a qualified criminal and civil jurisdiction; nor was there any criminal court competent to try in capital cases, nearer than the seat of government. But the quarter session courts, could try and punish misdemeanors, by fine and imprisonment—and the justices of the county courts were respectively conservators of the peace, and could hold courts for examination, and commit, or bail, for further trial, or discharge, in criminal cases.

Such however was the pressure of danger, the simplicity of manners, the integrity of the people, and the state of property, that there was but little use for criminal law, until a later period.

James Thompson, was appointed Surveyor of Lincoln county, and opened his office for business. This revived considerable activity in that section of the country; and many tracts of land were surveyed. George May, who had been the Surveyor of Kentucky county, was appointed to the like office in Jefferson. And Col. Thomas Marshall whose regiment had been dissolved in the preceding winter, was appointed Surveyor, for

Fayette. These latter counties, included the larger portions of fine lands, and considerable anxiety was entertained, by those desirous to locate them, as to the opening of the offices. Both Colo. Marshall, and George May, had returned to Virginia in 1780; and did not come out this year; owing to some uncertainty in their fees, or the depreciated state of the paper money, added to the apprehended danger from the Indians. In the spring of the year, a party fired on Strodes' Station, killed two men, and wounded a third, without any loss on their part. This year Colo. Clark received a General's commission, and had the chief command in Kentucky. A Row Galley was constructed under his direction, which was to ply up and down the Ohio, as a moving battery for the north-western frontier. And which is supposed to have had a very good effect, in frightening the Indians, for none dared to attack it; nor were they so free as theretofore in crossing the river: indeed, there is a tradition, that its passage up the Ohio, once as far as the mouth of Licking, had the effect to stop an expedition, which a formidable party of Indians had commenced against Kentucky.

In the course of this year, the settlers of the preceding, had greatly enlarged and multiplied their fields; these circumstances added to the extreme fertility of the soil, and the respite which the Indians gave them, to plough and cultivate their corn, produced an abundant crop of that valuable article.

The autumn of this year introduced, a greater accession of new settlers, and of better description generally,

than had arrived in any preceding year. Until this period there was a serious deficiency of single females. Nor was it practicable to resort to the stratagem of the Benjamites ; nor yet to that of Romulus, to supply the wanted number. The abundant emigrations of this year, silenced all complaint on that subject. And perhaps a licence to marry, was the first process issued by the clerk, of either county court. For it is a pleasing reflection that at that time, a law-suit was hardly known to exist in the country.

Lincoln county, the most populous in its commencement, had acquired in the course of this year, a very decided superiority. The stations, in the other counties were better filled than before ; while only a very few new ones were erected.

It was now for the first time, that we saw Kentucky, and had our eyes opened to the prospect of resources, never before contemplated.

We found the people of the country in their stations, inquisitive, cheerful, and hospitable. It was delightful, to see them so delighted, with the brightening prospect of security, arising from their accession of numbers. A determination to return to the old settlement—as the phrase then was for going into the atlantic part of the state, and prepare for a permanent residence in Kentucky—limited our stay, as it circumscribed our excursions ; nor were we at this time beyond the limits of Lincoln county. But that exhibited a complete picture of the country, as in the next year we ascertained.

The first settlers in the country, were enured to danger, to rough living, and to labor. They were mostly

from frontier settlements, in Virginia, or the neighboring states—and had served an apprenticeship, to their condition, previous to their coming to Kentucky. The women did the offices of the household, milked the cows, cooked the mess—prepared the flax, spun, wove, and made the garments, of linen, or linscy. The men hunted, brought in the meat, planted, ploughed, and gathered in the corn; grinding it into meal on the hand-mill, or pounding the homany in a mortar, was occasionally the joint labor of both. Much use was made of the deer-skins in dress—while the bear-skin, was consigned to the floor, for a bed. There might incidentally be a few articles brought to the country for sale, in a private way, but there was no store, for supply. Wooden vessels, either *turned*, or *coopered*, were in common use. Every hunter carried his knife, and not unfrequently the rest of the family had one, or two, in common. A like workmanship composed the table, and the stool; a slab, hewed with the axe, and sticks of the like manufacture set in for legs, supported both. The rest of the furniture was of a correspondent description. These things would not now merit attention, but as they depict the condition, and circumstances of the country. The richest milk, the finest butter, and the best meat, that ever delighted man's palate, were here eaten, with a relish which health, and labor only know; and which were every where offered with the most profuse hospitality, in every cabin, where we called to stay any time. No charge was made—it would have given offence to offer payment. There was some paper money in the country, which had not

depreciated, more than one-half as much as it had at the Seat of Government. If there was any gold, or silver, its circulation was suppressed, for want of objects to call it forth; or by the peculiar circumstances of the country. Hats were made of the native furr; and the buffaloe wool employed in the composition of cloth.

The capture of CORNWALLACE, was reported about this time in Kentucky; and had there been any Tories, this event would have made them all Whigs. But there was no such distinction at that time, known in the country. No portion of the U. States had more cause to fear, or detest the British war, than the people of this country, for no place was more exposed; though a part of Pennsylvania might have suffered more, than Kentucky; but even the scenes of WYOMING, might be re-acted here, by Indian, and Canadian, tragedians, under the influence of British officers. None were therefore more really gratified than the people of Kentucky, at the brilliant success of WASHINGTON, at York. Peace was generally anticipated as the consequence. Under this pleasing fascination the winter approached, and passed away, without the annoyance of the Indian war-whoop, and as if the war was already over.

The paper-money was called in and funded. A scale of depreciation, commencing at one and a half, Jan. 1777, and ending at one thousand, for one; Dec. 1781, was established, for the adjustment of private debts.

Very early in the succeeding spring, the Indians however dissipated those seductive dreams of peace and safety, which the people had previously entertained;

and gave ample earnest of the approaching campaign. Predatory parties, were dispersed, through the settlements. They killed the cattle, stole the horses, and fired upon the hunters, and travellers.

In the month of May 1782, a party of about twenty-five Wiandots, invested Estill's Station, on the south of the Kentucky river, killed one white man, and took a negroe prisoner; after destroying a number of cattle. Soon after the Indians disappeared, Captain Estill raised a company of twenty-five men, with which he pursued the Indians, and on Hinkston's fork of Licking, two miles below the Little Mountain, came up with them. Immediately on the appearance of the Indians, some of Capt. Estill's party fired on them; at first they seemed to fly, but their commander, although wounded, gave them orders to stand, and fight; on which the Indians prepared for battle, by taking each his tree, as nearly in a line as they could be found. In this position, they returned the fire, and entered into the battle, which they considered inevitable, with all the fortitude of individual and concerted bravery, so remarkable in this particular tribe. Captain Estill ordered his men to spread along in front of the enemy's line, to cover themselves with the trees as well as they could, within fifty or sixty yards of the Indians, and to fire as the object presented itself, with a sure aim. This order perfectly adapted to the occasion, was as well executed as circumstances would admit, and the desultory mode of Indian fighting, was thought to require. The numbers were equal, some have said exactly twenty-five on each side—others have mentioned,

that Captain Estill upon seeing the Indians form for battle, dispatched one or two of his men upon the back trail to hurry on, a small reinforcement which he expected was following him, and which circumstance gave the Indians the superiority, without producing the desired assistance.

Now were the parties fairly within rifle-shot, and the action become warm. Never was battle more like single combat, since the use of fire arms; each individual sought his object, and fired only when he saw his mark. Wounds, and death, were inflicted on either side; neither advanced, nor retreated. The firing was deliberate, the battle had lasted for upwards of one hour; more than one-fourth of the combatants, had fallen on each side; and several others were wounded. Never was the native bravery, or cool collected fortitude of men, put to a test more severe. Captain Estill had not a man to spare, and deemed it unsafe to attempt by a movement in front, to force the enemy from their position; because in such movement, he would expose his men, and some of them must inevitably fall: This, would increase the relative superiority of the enemy, while they would receive the survivors with the tomahawk; in the use of which they were practised, and expert. He perceived that no advantage was to be gained of the Indians by continuing the action in their own mode of warfare; that victory itself, could it have been certainly purchased with the loss of his last man, would have been a melancholy consolation, for the slaughter of his friends, and comrades—but even of victory, without some manœuvre, he

could not assure himself. The creek was still between the parties. On the one hand within view, ran a valley, bearing in its direction toward the rear of the enemy's line; and immediately combining this circumstance, with the urgency of his situation, rendered the more apparent, by an attempt of the Indians to extend their line, and take him in flank; Captain Estill determined to detach six, of his men, by this valley, to gain the flank, or rear of the Indians; while he with the residue maintained his position in front. The detachment was accordingly made under the command of Lieut. Miller, with proper orders, to gain the enemy's flank or rear; but he either mistaking his way, or intentionally betraying his duty, and his Captain, failed to execute his command; and the Indians soon observing, the weakened condition of their adversaries, rushed upon them and compelled them to retreat, after the loss of their brave commander, with eight of his men killed, and four wounded. There is a tradition, that Miller, with his detachment crossed the creek, fell in with the enemy, lost two of his men, and had a third, or fourth, wounded before he retreated. It was believed that one half of the Indians were killed, and this idea was afterwards corroborated, by reports from their town.

This action is said to have lasted two hours, and there seems to be nothing wanted in its circumstances—but numbers, with the pomp, and tactics of modern war, to make it equally memorable. Memorable it will be to those friends of the brave defenders of their country, whose hearts received the pang, given by the report of

its event—memorable it will be, to the few who survived it—whether by absconding with the Lieutenant, in a moment of dismay, they forfeited the praise which they had previously acquired ; or by standing with their Captain until his fall, they yielded to superior numbers, a victory, which they merited, by every right of fidelity, and courage. Memorable it will also be, in the simple annals of Kentucky, for the equality of the opposite numbers—for the invincible fortitude with which it was maintained—for the great proportion of the slain—for the error of the Lieutenant—and for the death of the Captain. In grateful remembrance of the personal bravery, and judicious conduct of Captain Estill, a county of the commonwealth has received his name, as a monument of his worth.

In reviewing the incidents of this battle, we can but admire, the determined bravery of the Indians, and the promptitude with which they seized on the absence of the detachment, to ensure the victory to themselves, by a movement on their enemy, equally bold, and judicious. Were such a detail, consistent with the economy of history, and were we possessed of the names of each individual, in both parties, we should deem them entitled to a place on our pages—while with a tear of regret we should deplore the misconduct of the officer commanding the detachment, as a circumstance of eternal reproach to him, and as the primary cause of the defeat of our countrymen. For had he rejoined his Captain, as he ought, when forced from his ground, the result of the action might have been different. It is believed that none of

the wounded men were taken by the Indians, while none of the dead, could be removed, but fell into the hands of the enemy ; who scalped them of course, as the least act of their barbarity. They were afterwards buried on the field of battle. The result of this action had a very serious effect on the minds of the resident inhabitants, who felt themselves continually exposed, to attacks from the enemy, or rencounters with them ; and that they now fought with more than their usual obstinacy ; and were likely to derive an increased audacity from their recent success. The Shawanees, Delawares, and Wyandots, in particular, were truly terrible to the exposed stations.

The Indians continued their depredations, and in the month of August, took two boys prisoners, from Hoy's Station ; also on the south side of the Kentucky, in the neighborhood of Boonesborough. This party, consisting of twenty, or upwards, was pursued by Captain Holder, and seventeen men ; who came up with the Indians, and were defeated, with the loss of four men killed, and one wounded ; without much resistance, or any known loss to the enemy. This affair could but deepen the existing impressions ; and overspread the faces of the people with the symptoms of alarm. The men of several new stations discovered the Indians way-laying their paths, stealing their horses, and killing their cattle, as they passed out, or in, about their ordinary business. They found themselves exceedingly circumscribed, and embarrassed in the pursuit of their different occupations.

In a field, adjoining Lexington, a man was shot by an Indian, who ran up to him, and was himself shot in the

act of scalping the dead. Another white man, was killed, and scalped on the road to M'Connel's Station.

These occurrences, were but preludes to others of more importance: some renegado white men, who for their crimes, or from motives of licentiousness, had fled from their own nation, and taken up with the Indians, incessantly instigated them to war, and to plunder. The most remarkable and ferocious of these, metamorphosed into savages, were GIRTY, and M'KEE. They had, by adopting the savage manners of their new associates, acquired considerable influence among them; assisted in their councils; accompanied them to war; were made captains; and contrived to unite the different tribes, in their attempts upon Kentucky. As a consequence of former arrangements, the different Indian nations surrounding the country, were summoned to meet at Old Chillicothe, and thence to proceed on the great expedition, which was to exterminate the LONG-KNIFE, from Kentucky; and to give the country once more to the red men, its rightful owners. At Chillicothe, the Indians were joined by a detachment from Detroit, as the quota of his Britannic Majesty. When the whole grand army, consisting of detachments, from the Cherokees, Wyandots, Tawas, Potawatamies, Delawares, and several other nations bordering on the lakes, including the Canadians, and the Shawanees, who were considered the principals, were assembled, they amounted to about five hundred; painted, and trimmed for war.

The more effectually to unite them in the proposed enterprise; and to prepare them for the scenes of conquest,

and of plunder, which had been held up to their view, Girty, made them a speech ; in which he represented, Kentucky as the land of cane, and of clover, which every year, spontaneously sprung up, and incessantly grew without labor, and without care, to feed the buffaloe, the elk, and the deer ; where the bear, the raccoon, and the beaver, were always fat ; and where all the Indians, from all the tribes, had a right, from time immemorial, to hunt, and kill, as many of these animals, as they choose, without being molested by white men ; and of bringing away the skins with which, to buy leggings, breach-cloths, and blankets, to put on their backs ; and rum, to send down their throats, to drive away the cold, and to make their hearts glad, after the fatigues of hunting, or of war. That now, THE LONG KNIFE (once the children of their great father over the water, who rebelling against him, held him at defiance) had overrun the country, broke the cane, trod down the clover, killed the deer, the buffaloe, the elk, the bear, the raccoon, and the beaver, or driven them from the land. That these intruders were now building houses, and making roads, where the Indian camp, or war-path, used to be ; that they were planting fruit-trees, and ploughing the land, where was not long since, the cane-brake, and the clover-field ; and that unless they were driven away, or totally exterminated, the Indians might bid adieu to the country—to the delicious meat, with which it once abounded, and the skins, that purchased their clothing, and their rum.

That the present was the time to do the great work,

when the red brethren, had assembled from the four winds of the sky, and were joined by their white brothers of the lake :—and before the LONG-KNIFE, had made themselves too strong, as they soon would be, unless driven far away, or killed.

Besides, every warrior might take as many scalps, and prisoners, as he pleased ; and as much plunder as his cabin could hold ; and that after killing all the men, the women, would willingly become their wives, and raise up young warriors for them.

What other motives than these could be presented to the minds of savages, whose occupation is hunting, or war ? There was one other, nor was that forgotten. The LONG KNIFE had invaded their towns, two years before, killed their warriors, burnt their cabins, destroyed their corn, and driven their women, and children into the woods ; where they had nearly perished, with cold, and hunger, before they could build other cabins, or supply them with meat.—And now they might satiate the thirst of revenge, with the blood of the white men. This speech was heard with the utmost complaisancy ; while the deep-toned war-whoop, or the desultory shriek, gave evidence of direful approbation ; and of the fell purpose of those barbarians.

The chiefs led the van—the hostile train followed in long procession of horrid war. Of this formidable armament, the people of Kentucky had no certain intelligence at the time. The country was already harrassed by the detached parties ; and the inhabitants even flattered themselves that nothing more terrible was yet to come.

Hasty was the Indian march, nor was there any spy, on the way, to collect and bring an account of their approach. Two years before a like army, had taken Ruddle's, and Martin's Stations, and occasioned that of Grant, to break up, and to seek refuge in Lexington, and other places. Bryant's Station, was now a frontier, containing about thirty, or forty cabins, and from forty to fifty men. It had a bastion at either end, composed of strong logs, built in the block house form, with necessary loop holes. The cabins were ranged in two or three lines parallel to each other, and inclosed with strong palisades.

On the fifteenth of August 1782, some few of the men being absent, others in the adjacent corn fields, but the greater number about the station; the Indians suddenly appeared before the place, and without any summons, commenced an attack, with their small arms. The gates were immediately manned, and kept for the reception of those who were out of the station; others fled to the bastions and loop holes, from which they returned the fire; and kept off the enemy. Some belonging to the fort, entered from without, others thinking it too dangerous to attempt getting into the station, or deeming it more important to spread the alarm, fled to the neighbouring stations, reported the news, and called upon them for assistance. To render this, the utmost alacrity was every where shewn.

On the next day a small detachment, from Boone's, and Strodes, stations, and some individuals from Lexington, voluntarily, and gallantly, threw themselves into the

besieged station ; which had been defended, by its inhabitants, with all the vigilance, and intrepidity, demanded by the importance of the crisis, and the nature of the enemy. Robert Johnson, and John Craig, were among the most respectable of its inhabitants, while the Stuckers, Mitchells, and Herndons, were distinguished, among its best soldiers.

The Indians, had made their camps on both sides of Elkhorn which was in wood, above the station, and so near the spring as to cut it off from the use of the garrison ; or at least, to render it extremely dangerous to obtain water from it, by day ; nor was it even safe at night. During the two days of the siege, the Indians, kept up almost a constant fire, from one, or the other side, by which they killed four men of the garrison, and wounded three. They made an attempt to fire the cabins, and for this purpose shot lighted arrows on the roofs ; and even approached the walls, from which they were repulsed, without effecting their object. They killed a great number of cattle, some of which they eat ; and they took, or killed, some horses. But having suffered very considerably in their various attempts upon the station, finding that they made no impression on the place, and apprehending no doubt, that the country would be roused, and brought' upon their backs, they raised the siege, and disappeared, on the morning of the third day ; leaving their fires burning, some bits of meat on their roasting sticks, and took the road to

the Lower Blue Licks. Having lost about thirty of their warriors, killed, and gotten a number more wounded.

In the mean time, Colo. John Todd, who resided at Lexington dispatched intelligence of the attack on Bryants, to Colo. Trigg, who resided, near Harrodsburgh.—and to Colo. Boone, who resided, at Boone's Station.

These officers lost no time, in collecting the men in their respective neighbourhoods ; and on the eighteenth of the month, soon after the Indians had raised the siege, assembled at Bryant's Station, one hundred and sixty six men, headed by their appropriate officers—among whom, with the rank of Major, was M'Gary, and Harland, from the vicinity of Harrodsburgh ; and Levy Todd, of Lexington.

A council was held, in which it was promptly decided to pursue the Indians, without waiting for the arrival of Colonel Benjamin Logan, who was known to be collecting a strong party, to join them.

The march was immediately commenced upon the rout of the enemy, under the command of Todd, and Trigg, nor had they proceeded very far before Boone, and some others, experienced in the ways of Indians, discovered signs of ostentation, and of tardiness, on their part, indicative of their willingness to be pursued, and calculated to point out their rout ; while apparent caution had been taken to conceal their numbers.

The one, was effected, by chopping the trees on the road, the other, by contracting their camps, and treading in single file, a narrow tract. No Indian was seen until, the pursuers reached the Southern bank of Lick,

ing, at the Licks; the van of the party then discovered, a few of them on the opposite side, traversing the hill; and who apparently without alarm, and leisurely, retired over the hills from their sight. A halt was called, and the principal officers being soon assembled, the point was made, "what should be done"? whether immediately to cross the river, and continue the march, or to stand on their ground, until the country round about could be reconnoitered, by proper parties, and measures ultimately taken according to circumstances, either to attack, if the enemy were near, or wait the arrival of Colo. Logan?

Neither of the superior officers, were much skilled in the manners, or customs of Indian warfare; they were however willing to be advised, and had actually called upon Colo. Boone, for his information, and opinion. These, he was detailing with his usual candor, and circumspection; as to the number of the enemy, his opinion vibrated, from three, to five hundred; owing to the ambiguous nature of the *sign*, they had made on the road. From the careless manner in which the Indians, who had appeared, conducted themselves, he conjectured that the main body was near, and prepared for action—He was particularly well acquainted with the situation of the ground about the licks, and the manner in which the river winds into an irregular ellipsis, embracing the Great Buffalo road and ridge, from the Licks, towards Limestone, as its longest line of bisection; and which is terminated, by two ravines, heading near together, and extending in opposite directions to the river. He had suggested the

probability, of the Indians having here formed an ambuscade, the advantages to them, and the disadvantages, to the party of Todd, and Trigg, should this conjecture be realised, and the march continued. He proposed that the party should divide ; the one half march up Licking on the south side ; and crossing over about the mouth of a small creek, now called Elk-creek, fall upon the outside of these ravines, while the other half, placed itself in a situation to co-operate in case of attack. He shewed that the whole advantage of position might be thus turned against the enemy ; at least, he insisted if his superiors were determined, not to wait for Col. Logan, that they should have the country explored, before they marched the main body over the river. Already had Boone nearly gained the entire approbation of his superiors, and of those who heard his counsel ; when Major M'Gary, ardent, and impatient of delay, rushed his horse forward to the water's edge, then raising the war-whoop, and crying out with a loud voice, ' Those who are not cowards will follow me, I will shew them where the Indians are,' spurred his horse into the water. One followed, and another followed, in quick succession ; the council was broken up, the officers, who might have been otherwise inclined, were forced along in the crowd and tumult—no authority was observed—no command was given ; they crossed the river ; they pursued the road, as the leading guide ; on either side of which parties flanked out, as the unevenness, and irregularity of the ground would permit ; all moving forward, with the utmost disorder, and precipitation, over a surface covered with rocks, laid bare

by the trampling of the buffaloe, and the washing of the rains for ages past ; taking in front the ridge to the left of the road, which extends for some distance between Licking, and one of the ravines ; and to which they were led by the re-appearance of the Indians, first discovered on the approach to Licking.

Near the extreme end of this ridge, it was covered with a forest of oak trees of middling size ; the ravines were covered with small timber, or brush-wood ; while the whole extent of the ellipsis, had been stripped of all herbage, by the herds of buffaloe, which resorted to the licks. Some scattering trees here and there appeared, on a pavement of rock as rude as it was singular, throughout the whole extent of the field.

At the head of the party in front, and which first reached the wood, was M^cGary, Harland, and M^cBride, —here they were met by a party of the Indians, who had been concealed in the wood—here the action immediately began, and as soon became warm, and bloody ; on either side, the rifle was pointed—on either side, the warrior fell. Immediately it was discovered, that the ravines extending the whole length of the line, of the Kentuckians, had concealed the enemy, from which they fired, and rushed upon their foes, not half their equal in number. Todd, and Trigg, whose position was on the right, which in the movement of the troops became the rear of the line, had already fallen in battle ; already were the Indians turning the right, or rear of this line ; already had twenty or thirty, of the bravest warriors, breathed their last ; when a retreat

commenced, under the edge of the tomahawk. At the first crossing of the river, nearly the whole line of march was on horse-back ; when the action began, many dismounted ; others did not dismount. Some who had recovered their horses, fled on horseback ; others fled on foot. From the field of battle, to the ford of Licking, was about one mile ; a high and rugged cliff environed either shore, which declined into a flat, as they approached the salt-spring. The ford was narrow, and the water deep above, and below ; some of the men were overtaken in the way, and fell beneath the stroke of the Indian hatchet ; but at the river, was the greatest havoc. Some were slain in the water, some on either shore. Here it was that a singular phenomenon was exhibited ; a man by the name of Netherland, known for his timidity, mounted on one of the fleetest horses, and whose back he had never quitted, having crossed Licking, and finding himself out of danger, takes a back view, sees the Indians preparing to rush into the water, and there to extinguish the remains of many lives, almost exhausted, by the fatigue of the flight, cries out with a shrill and commanding voice, to those who had made the shore ; “ Halt, fire on the Indians, and protect the men in the river.” This call had the desired effect ; ten, or a dozen men, instantly halt, fire on the enemy, and check their pursuit—probably by so doing, as many lives were saved. This resistance, however, proves but momentary ; the Indians are seen crossing the river in numbers, and personal safety, suggests a rapid flight.

The fugitives were pursued for miles, nor did they

find a place of safety short of Bryant's Station, thirty-six miles from the scene of action. Here many of them on horseback, arrived within six, and others on foot, within eight hours, after the action.

At Bryant's, the survivors of this tragedy recount the exploits of their comrades, and their own disasters. Here they tell that Captain Patterson, exhausted, in the flight—and ready to yield himself to the scalping-knife of the savages, just in his rear ; is passed by Reynolds, a private soldier, on horse-back, who dismounts, and places Patterson in his saddle, whose escape he ensures, and falls himself into the hands, of three, or four of the enemy.—They have not time to kill him, and they leave him under the care of a warrior less expert than the rest of his party, for safe-keeping ; with orders to follow in the rear while they continue the chase ; secure at least of the pleasure, as they imagine, of torturing to death one ^{white} man ; when they should have more leisure. But the Indian's moccason comes loose, and while he stoops down to tie it, Reynolds knocks him over, and escapes.

For this singular instance of magnanimity, and essential service, Patterson afterwards made Reynolds, a title in fee simple, to two hundred acres of land.

Never had Kentucky, experienced so fatal a blow as that at the Blue-Licks ; of the one hundred and sixty-six warriors, who flew to the assistance of Bryant's Station ; one half, or more were from the neighborhood of Harrodsburgh ; these, fired with the generous spirit of their officers, turned out upon the first call, ready not only to risk, but to sacrifice their lives, in the defence of

their fellow-citizens ; these were led directly into the front of the battle ; of these the greater number fell. Those from other quarters of the country, equally brave, were little less unfortunate. The whole loss on the side of Kentucky, was sixty killed, and seven made prisoners. The Indians lost sixty-four killed, and had a number wounded. This was afterwards learned by reports from their towns ; and that, to make the loss even, they massacred four of their prisoners, in a most savage manner.

Greatly did the country feel, and deplore, the loss of Colonels, Todd, and Trigg, who although, they had not acquired the reputation of great Indian warriors, were men of intelligence, of personal worth ; and public usefulness. They were peculiarly qualified, to council, enlighten, and guide, the people in their civil concerns ; while the suavity of their manners, and the urbanity of their minds, rendered them easy of access ; and always ready to assist those who stood in need of information, or advice.

In this action, the gallant Harland fell ; nor was there a braver soldier, or an officer more beloved, in the field.

Colonel Boone, here lost his second son, and very narrowly escaped himself. To him, the incidents of the day must have been extremely distressing, and more than commonly vexatious. On the point, in the morning, of persuading his officers, to a course of proceeding, which if it had been adopted, would in all human probability, have averted the fate of the day ; or might have turned it on the enemy. In the evening, he is exhausted with fatigue and anxiety ; he has to lament the

loss of a favorite son ; and he sees his country humbled by defeat, and trembling with apprehension of a victorious enemy, savage as they were brave, and numerous as they were savage.

In the midst of these disasters, and this gloom, there was yet one consolation, the party with Colo. Logan, was considerable, in full march, and unbroken, as undismayed. The van of Logan's command had passed Bryant's Station on its march to the Blue Licks, when it was met by the fugitives from that fatal field ; it then returned to Bryants—where Logan halted until the rear came up, which was one day, and then resumed his march to the Licks, to engage the Indians, if there ; if not, to bury the dead. On the second day, the BATTLE GROUND was approached, and the dead bodies seen strewed along the field. Some were mangled by savages, some by vultures, some by wild beasts ; they were swollen, and rendered quite yellow, by the scorching rays of the sun. Each man who had lost a particular friend, or relative, sought for him, that if found, he might with pious awe, and the tear of regret, perform to him the solemn rites of burial ; if not found, that the hope of his being a prisoner, and that he would yet return at some future day, might cheer the melancholy remembrance of past events. But even this imperfect consolation was denied ; for none knew the remains of his friend, when found.

Logan's party, having performed the last solemn duties of the field, and no *fresh sign* of the enemy being

seen, they returned to Bryant's, and were dismissed, to the number of about four hundred and fifty men.

The whole country united with the widow, and the orphan, to deplore their loss, and to mourn over the public calamities of this year : the most fatal yet known in Kentucky.

General Clark, then resident at the Falls of Ohio, impressed with the liveliest feelings for the distresses of the sufferers—and convinced of the necessity of rousing the country from its anguish, and despondence, proposed an expedition against the Indians ; and invited the superior officers, to meet him in council. This invitation was complied with, and the means of calling out the men, and of furnishing them, concerted. A draft was to take place, where there was a deficiency of volunteers. And impressments of horses, and other supplies, might be resorted to, where contributions failed. These regulations were proclaimed, and soon was seen the utmost activity of preparation. Both officers, and men, volunteered ; and where property was offered, or taken, it was valued, and a certificate given the former owner, as evidence of his claim to future compensation, should the government make provision for payment. Bryant's Station, was the place of rendezvous for the upper part of the country ; the Falls of Ohio for the lower, and the mouth of Licking, the point of union. Col. Logan, had the second command. About the last of September, an army of about one thousand men, assembled on the bank of the Ohio ; and was put in motion, for the Indian towns, on Miami and Sciota.

This expedition was conducted by General Clark, with his usual dispatch ; and a party of the same Indians who had recently been in Kentucky, encamped near one of their towns, was on the point of being surprised, when a straggler, within half a mile of the camp, discovered the approach of Clark, and gave the alarm, of a “ mighty army on its march.” The camp was immediately evacuated with the utmost precipitation ; and the frightful intelligence being spread through the neighboring villages, every where produced similar effects, dismay, and flight. Empty cabins, and deserted fields were only to be found ; or here, and there, a scouting party of savages, who sometimes fired, and immediately fled. This scene was repeated in the course of a march of several days through the different Chilicothe’s, Peck-away, and Wills-Town. These were severally reduced to ashes, and the fields of corn entirely cut up and destroyed ; leaving only ruin and desolation in the country. A warrior of some distinction, surrendered himself a prisoner ; and was clandestinely shot, by some of Clark’s men, contrary to his orders.

In this Campaign, Clark took seven prisoners, and five scalps, with the loss of two men by the Indians—and two others by accidents. And although this was poor compensation for the defeat at the Blue Licks ; it had however, the good effect of convincing both the Indians, and the people of Kentucky, that the latter were superior, and that there was no danger of the former, overrunning the country.

While the army under General Clark was spreading

terror and desolation among the northern tribes, some of those from the south, made an incursion into the settlements of the Crab Orchard ; where a scene occurred, though trivial in its effect, yet so novel in its circumstances, as to merit a particular detail. A party of these savages approaching a single house, halt, and send one of their warriors, in advance to reconnoitre ; leē, finding the family, to consist of the mother, her children, and a negro man, determines to take them, and thereby secure the honor, and the plunder, to himself. With this intent, he enters the house, and seizes the negro ; they scuffle, and fall ; there is an axe lying in the floor, with this, the mother cuts off the Indian's head—the children shut the door. The out Indians, who were waiting intelligence, having heard the noise and bustle, are by this time in the yard ; they rush to the door, and with their tomahawks, attempt to break it down. The master of the house had, as was usual, gone out to make a short hunt, and taken the rifle with him. The house seems in a manner defenceless—yet there is an axe, and the barrel of a gun without stock, or lock ; while the negro, and children defend the door, the mother seizes the gun-barrel, and runs it through an aperture, between the logs of the house-wall, as if intending to shoot ; the Indians see the muzzle, and fly. The report of “ Indians,” was soon spread through the neighborhood ; the men were collected, and falling upon their trail, chased them into the wilderness.

From this time, no formidable party of Indians ever invaded Kentucky ; nor was the country for the residue

of the year, molested by their scouts, or maurauders.

Rumors of a general pacification were renewed, and circulated with considerable confidence, as being certainly on the tapis, and likely to take effect. This news was extremely grateful to the ears of the people, who indulged themselves with the agreeable anticipations of peace with England; as ensuring peace, and safety, on the part of the Indians. Or should the Indians continue hostile, yet peace with Great-Britain, it was thought would withhold their supplies, and disarm them of half their terror.

It had been publicly notified that both Col. Marshall, and George May, would open their offices, in the autumn of this year; and besides great numbers who emigrated, in families for settlement, there were many persons who came out to attend to land business. The expedition of this year had suspended the opening of these offices until late in November. When one was opened in Lexington; the other, at Cox's Station.

As in 1780, so now, the public attention was turned to the acquisition of land, by the location of treasury-warrants. And now, as then, the business was very much engrossed by the hunters—who were generally illiterate, and ignorant of what the law required to make a good entry. They nevertheless proceeded in the business, urged by their employers, with all the avidity of men, fearful of loss, and intent upon gain. Hence, they strewed the locations over the face of the country, as autumn distributes its falling leaves, heedless of those

which had previously fallen ; and almost as destitute of design, as regardless of the consequences.

A few specimens of vague entries it is believed, will be the best means of illustrating the ignorance of locators, and the cause of the unhappy disputes which have ensued about the titles to land ; and which now lacerate the feelings of the people ; engross the attention of courts ; disorder legislation ; and set neighbors at variance.

On the twenty-eighth of November 1782, “ Lewis Craig enters 500 acres of land upon a treasury warrant, adjoining his former entry on the north side, and running along northwestwardly, with Christian and Todd’s line for quantity.”

Here it is to be remarked, that of all the country north of the Kentucky River, no particular, water course is called for, or other object of general description named, so as to lead the attention of a subsequent locator, to any particular circuit within, or about which, to search for locative objects. Again—it does not appear what former entry of Craig’s, is meant—neither is it certain what line of Christian and Todd, is intended, nor who they are, or where their claim is to be found ; or if one be found, whether it was the one alluded to by Craig.

On the same day—

“ George Smith enters 500 acres of land on a treasury warrant, lying on the north side of Kentucky, a mile below a creek, beginning about twenty poles below a lick, running down the river, westerly, and northwest-terly, for quantity.”

It is obvious that the calls in this entry, are all vague, and uncertain, to a subsequent locator.

The north side of Kentucky, comprehended the whole of the county of Fayette ; and more than one-third of the whole country.

The next call is, *a mile below a creek* ; but which, of the five hundred creeks on the north-side of Kentucky, does not appear. And finally, it is to *begin about twenty poles below a lick* ; but what lick ? or where ? Are questions all-important to the next locator ; but which are left altogether unanswered, and unanswerable, by any thing in Mr. Smith's entry. It is presumed that the person who made Smith's entry, knew the place he intended to include ; but those holding unlocated warrants, were not bound to find him ; nor could his verbal explanation aid an entry, which the law required *should be in writing*. The holder of the warrant then proceeded to make his entry—and which in all probability was as vague as that of Smith's ; and when surveyed, to the very great surprise of both, might interfere.

Another instance—

“ Edward Hall, enters 622 acres of land, upon a treasury warrant on Eagle Creek, a branch of Kentucky. Beginning at a small beech, marked thus, I N on the north side of a small drain, then East 320 poles, then north at right angles for quantity.”

To see that this entry is wholly vague, and uncertain ; to a subsequent locator, it is only necessary to observe ; that Eagle Creek is fifty miles in length—has a thousand

drains—and a million of beech trees. And that I N being cut on one, still left it destitute of *notoriety*.

Hence it was totally unreasonable to require that another person holding other warrants, should find it, in order to avoid an interference.

There were other circumstances, which contributed to produce interferences between the claims to land, and which the importance of the subject requires, should be mentioned. The country, being unknown, and unsettled, in its greatest extent, was explored by individuals, or small parties, who often gave different names to the same objects; such as water courses, traces, licks, &c. and often mistook, or confounded, distances; from the one, to the other. Whence sprung an infinity of conflicting claims. Others made obscure marks, the foundations of their entries. Again—two sets of locators, would commence their entries, on parallel creeks, and run out each way until they interlocked. Such were the consequences of putting warrants into the hands of persons with which to appropriate land, without previous survey. The danger of Indians, and the multiplicity of entries, not to mention the negligence of the parties concerned, in many instances put off the surveying: and in the mean time the commonwealth continued to sell her warrants, which had depreciated to a guinea, or less, per thousand acres, until, at least four times the quantity of land, subject to be located, had been sold.

The country now became better known; men had learned the difference between a vague, and a special entry; and the face of the earth, was covered again, and

again, and again, with locations of the one, or the other description, containing quantities from one hundred, to one hundred thousand, acres—and more.

The incompetency, and tardiness of the courts, and parties, permitted that part of the land law which provided the caveat as a mode of bringing conflicting claims to a trial, and decision; and which awarded a renewal of the warrant, to the loosing party, with a right of future appropriation, to become a dead letter, as to such appropriation. Inasmuch as the whole of the land was more than appropriated, before any decision took place. And the loosing party, although a purchaser from the commonwealth, sustained a complete loss, of both land, and money. Nor was a remedy for these evils provided, by the state of Virginia, when she ceded to the U. States, her immense territory, north-west of the Ohio.

Difficult as it may be, to attach censure to a legislative body, forever fluctuating; yet it is impossible to find an apology consistent with the principles of a sound morality, for the whole conduct of the legislature, on this subject. They should have limited the sales to the quantity of land subject to location; or they should have enlarged that quantity, before they made the cession to the United States. Forasmuch as it belongs to states, equally, as to individuals, to be just, before they are generous.

When men holding treasury warrants saw that Kentucky land, or nothing, was their only alternative; they were reduced to the desperate necessity of loosing their purchase altogether, or of making special entries, to cover

those more vague; and afterwards of disputing the matter of right, with their owners. Thus do we owe to a combination of circumstances, both public, and private, a state of land titles, which more than Indian wars, or any thing else, has retarded the population; obstructed the improvement; distracted the people; and depreciated the value of the soil, in the country.

These are considerations, rather of experience, than anticipation; nor had they any influence on the busy crowd of locators, and land-jobbers, in the hurry and ardor of business.

The winter 1782—3, passed away with but little interruption from the Indians, whom, it had been before remarked, “were always shy of white men, after being drubbed.” Possibly the rumor of peace, between Great Britain, and the United States, might have had some effect. Preliminary articles, had been signed on the thirtieth of November 1782; and early in 1783, were announced in Kentucky.

Nothing could have come more opportunely, for the views and occupations, of the people. For never were men more tired of war; never more desirous of peace; never more intent upon realising property. While the means employed to attain this last and grand object, called them into the woods, and exposed them to the Indians, should any be in the country, in a manner peculiarly defenceless and insecure; but whom it was expected would disappear, or be friendly, in consequence of peace with Great-Britain.

Next, to the acknowledgement of the independence of

the United States, was the ascertaining, and fixing their boundaries. This was a subject of much interest to Kentucky: and on which there had been much intrigue in the courts, of France, and Spain.

These powers connected by nature, and by compact; the one holding an almost incalculable extent of colonial territory on the Mississippi; and both possessed of islands in the seas connected with the mouth of that river, had seen with considerable uneasiness, and solicitude, the claim of the United States extended, as well by conquest, as under charter, to its eastern bank.

And while both aided the United States, in the war against Britain, upon the professed motives of friendship, and generosity; they were really actuated from considerations of resentment, against England; and of policy, and self-love, as to themselves. One certain consequence, was to result from the establishment of American Independence—the loss to Great-Britain, of so many colonies, rapidly increasing in population, strength, and riches. This was clearly foreseen by both those rivals of England; and that in proportion to the loss sustained by their adversary, would be their relative gain. France, took the lead in the contest, being more immediately interested in the result; and possessing the most active disposition for enterprise, both in the cabinet, and in the field. Much ingenuity, and influence were employed by the ministers of his most Christian Majesty, to subject, even the tenure of American Independence to his guarantee. The next object of French, and Spanish, policy, was to limit the western boundaries of the United

States, by the Allegany mountains, and at most to the Ohio. The residue of the country to the west, was to have compensated, France, and Spain, for their *disinterested friendship*, to the United States ; and enabled them forever to *controul that independence*, which they had kindly proposed to take under their PROTECTION.

Already had the flattery of the minister, and the thousand seductive blandishments of Paris, gained over to his purpose, that singular composition of formal gaiety, of sprightly gravity, of grave wit ; of borrowed learning ; of vicious morality ; of patriotic treachery ; of political folly ; of casuistical sagacity, and Republican voluptuousness—DOCTOR FRANKLIN : already was the *French party*, in the congress of the United States, so powerful, and so under the management of the Count De Vergennes, that a vote of instruction to the American Ministers in France, to conform themselves to the advice of the COUNT, was obtained in that body : already were the instruments prepared, and the machine put in motion, which were to stifle the new-born American Independence in the cradle of French intrigue ; and to limit the boundary of the United States, at the will of France ; when the sagacity, the patriotism, and the firmness, of Jay, and Adams, discovered, and frustrated the diabolical project. But for this, Kentucky might have been a French, or Spanish province.

It was not difficult to make the ministers of Great-Britain comprehend, the objects and motives of certain propositions, on these subjects—nor to convince them that a liberal policy on their part, towards the U. States,

afforded the surest means of counteracting their enemy ; while it would secure to their country, the good disposition of the reflecting part of the American people ; the best possible substitute for the loss of territory, and government. The result was an unconditional acknowledgement of the independence, of the thirteen United States ; and a boundary ample, as their safety, or union, required. The necessary provisions for the attainment and security of these objects, compose the first, and second, articles of the treaty of peace, between the UNITED STATES, and his BRITANNIC MAJESTY.

Kentucky, held her place in the territory of Virginia, whose Legislature, actuated from motives of a liberal policy, towards the United States, as conciliating, as magnanimous ; had on the second of January 1781, offered to the acceptance of those states in congress, all the country comprehended within her charter, on the north-west side of the Ohio. And which now stood for the acceptance of congress, on terms suggested by justice and prudence, for the security of certain individual rights, the payment of the incidental expences of conquest, and the erection of new republican states. These terms being afterwards substantially acceded to by congress, in the year 1783, a formal deed was made and executed by the Virginia representation on behalf of that state, and accepted by the United States, in seventeen hundred and eighty-four.

Thus, while emperors, kings, and states ; thrones, principalities, and powers, fight ; devastate, and conquer, for territory, and dominion ; the great and populous

state of Virginia, peaceably and unconstrained, made a gratuitous donation to the common stock, of a country, over which she proposed to erect at least ten new states, as future members of the confederation.

The contemplation of these things could but fill the mind of the intelligent western settler with the most pleasing anticipations of future peace, and prosperity.

The British forts on the lakes, within the bounds of the United States, were by the Treaty of Peace to be forthwith evacuated, and delivered into the possession of the American government. By means of these Forts, dispersed among, and contiguous to the different Indian Tribes, they had been easily influenced, and seconded in their hostile disposition towards Kentucky. And from them they had derived their principal supplies, for carrying on the war. The prospect of replacing the British garrisons, with American Troops, seemed to promise and ensure a safe and permanent peace, with the savages of those regions. In addition to all these agreeable objects of hope and expectation, the month of March realised an improvement in the judiciary system, of the very first importance to the good people of the country.

The three counties of Kentucky had been erected into a separate district, and a new court, of common law, and chancery jurisdiction, co-extensive with its limits, established therein. This court, besides the facilities which it offered of hearing and deciding land causes, originating in any part of the district; was also vested with powers of *oyer and terminer*, in criminal cases. Which had become necessary in consequence of some recent in-

stances, of violence, and other irregularities, and the increased probability of others in future.

This court was opened at Harrodsburgh on the 3d of March 1783, by virtue of a commission from Benjamin Harrison, Governor of Virginia, to John Floyd and Samuel M'Dowell; who chose John May for their clerk; and qualified Walker Daniel, who held a commission from the Governor, as Attorney General, for the District of Kentucky.

A Grand Jury, was empannelled and sworn for the body of the District; and who in the course of their sitting, presented nine persons for selling spirituous liquors without license; eight for adultery, and fornication; and the Clerk of Lincoln county, for not keeping up a table of his fees.

At this time there was no convenient house in Harrodsburgh, within which the court could hold its sessions, and it adjourned to the meeting-house, near the Dutch Station, six miles from Harrodsburgh.

Walker Daniel, and John May, were appointed by the Court, to fix upon some *safe* place, for holding the court in future, near Crow's Station; and authorised to employ persons to build a *log* court-house, large enough for a court-room, in one end, and two jury-rooms in the other, on the same floor. They were also authorised to contract for the building of a prison, of hewed, or sawed logs, at least nine inches thick. And in case the said Daniel, and May, at their own expense, caused such buildings to be erected, the court engaged that they would adjourn to the place so to be fixed on; and pro-

mised a conditional reimbursement in case they removed to any other place ; either out of the funds allowed for the support of the court, if sufficient ; if not, by using their endeavors with the Legislature, to have them paid.

This had the desired effect ; and Danville arose out of this speculation. At which place the District Court continued to hold its sessions, until the separation from Virginia ; when it was abolished.

The people were now so busied about their land affairs, that they might, and probably would, have forgotten that there was an Indian in the world, had they not been sometimes routed by the maurauding parties that occasionally visited the frontiers.

There was not however any serious invasion this year ; and as a consequence of the apparent safety, many, new settlements were made in different parts of the country. So that it was no longer a matter of military enterprise to establish a new station ; but a mere act of civil employment.

The people found themselves greatly improved in their circumstances ; and much more at their ease than formerly. Plenty abounded in the country ; cattle, and hogs, were found to increase and thrive to an astonishing degree ; and the fields were burthened with Indian corn. Some trade, and traffic sprung up among the citizens, and horse-races were run for settlements, and pre-emptions.

Schools were opened, for teaching reading and writing, in the vernacular tongue ; and preachers of the

gospel were heard publicly proclaiming the terms of salvation.

The arts connected with agriculture, took their residence in the country; and those which furnish the house-hold, and kitchen, with vessels, and cabinet-work, for ordinary use, had already emigrated. Money was tolerably plenty, and labor of every kind, well rewarded.

Thomas Paine, had written a book to ridicule, and expose to contempt, the chartered claim of Virginia, to the western country, by twisting it, like a cork screw round the north pole; and to persuade congress to assume the possession and sovereignty of the country—a species of writing in which he excelled. This book had fallen into the hands of Pomeroy, and Galloway, of Pennsylvania,—who could twist, “west,” and “north-west,” as well as Tom Paine; they had read the book; and they felt the utmost hostility against the claim of Virginia, to the district of Kentucky. One went to the Falls of Ohio, the other came to Lexington, to propagate their seditious doctrines, and to overturn the Virginia titles to the land. At the Falls, it is believed no body minded this disciple of Paine. But at Lexington, his brother apostle, obtained considerable audience. Several of the good people yielded so far to his persuasions, as to commence chopping, and improving, upon their neighbors lands, with the *pious* intent of appropriating them under an act of congress, which, as they were assured, was soon to be promulgated.

This gave to the subject an aspect rather serious; and it became necessary to “correct the procedure.”

A Justice of the Peace was applied to for a warrant to arrest, this zealous propagator of civil, and political heresy—Some law was wanted to justify the proposed measure—Fortunately, there was an old Virginia law which imposed a fine; *in tobacco*, at the discretion of the court, upon the “propagators of false news, to the disturbance of the good people of the colony.” This was believed to be sufficient; the Justice issued his warrant against Mr. Galloway, and the Sheriff brought him up for examination; the facts were proved upon him, both as to his assertions, in relation to the Virginia title, which he said “was no better than an oak leaf,” and as to the effect they had produced on the minds of sundry persons. He was ordered to give bail, for his appearance at the next court; which happened not to be distant, and at which he appeared. The subject had by this time become a matter of much interest; and a great concourse of the people, attended. The culprit was arraigned, the witnesses examined, and the law produced. The fellow could make but little defence; for he had not even brought with him the book of his master, which contained the doctrine he had been preaching. The court fined him, *one thousand weight of tobacco*—which at that time it was utterly impossible for him to pay in Kentucky, as it would have been to pay one thousand pounds in gold.

But he was to pay it, or go to jail. He was panic struck—detected in propagating false news—he stood as a culprit—sentenced, not indeed to be hanged—but in effect to go to prison; and there to remain until the *tobacco* could be planted, and raised; or brought from an-

other country. But he had never raised a plant of tobacco in his life ; he knew not what to do—his adherents left him ; his distress was agonising. At length it was signified to him, if he would leave the country, it would do as well, as to go to jail ; and the payment of the fine would not be exacted from him. He caught at the offer, and was permitted to depart. He left the court, mentally ejaculating without doubt, curses against TOM PAINE, and TOBACCO, even more bitter, than that deleterious weed, itself.

From this time the rights to land, derived from Virginia, were no more questioned on the score of her authority ; and Tom Paine lost his reputation as a *land-lawyer*.

On a former occasion, some inconsiderate persons had offered to obstruct the business of surveying, which had occasioned a legislative act to punish the like offences in future.

On the third of September in this year, the preliminary articles of pacification between the United States and Great-Britain, were confirmed by a definitive treaty, and an end put to the revolutionary war, as had been expected.

No part of the U. States, was more immediately interested in the faithful execution of this treaty, than Kentucky. None suffered more than she did, in consequence of its inexecution ; as will be shewn in its proper place.

The Monongahela country, had hitherto furnished Kentucky with whiskey, and flour ; but in this year sundry crops of wheat had been raised, on the south side

of the river; and some distilleries erected on a small scale, in which spirit was produced, from Indian corn.

Some merchandise transported from Philadelphia, to Fort-Pitt, in waggons, and thence to the Falls of Ohio, in flat-bottomed boats, was landed; and a retail store opened, by Daniel Broadhead.

For the convenience of those taking up Kentucky lands, the office of deputy Register, which had been established in the country, was now filled, for the reception of plats and certificates, instead of depositing them in Richmond.

Very considerable emigrations took place to the country—and Kentucky, conscious of her increasing strength, lost her fear of surrounding danger.

CHAPTER V.

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Progressive settlements—lands located by the Philadelphia company—merchants from same place, send goods to Kentucky—arrival of General James Wilkinson—surveying commenced on the north side of Licking—indications of Indian hostility—the posts on the Lakes withheld by Great-Britain—new disputes between her and the United States—mutual inexecution of the treaty of peace—review of the case—biographical sketches of Simon Kenton—Colonel Benjamin Logan, receives information of an intended invasion, by the southern Indians—he invites an assemblage at Danville—deliberations, and result of the meeting—the first convention assembled, and organised—a sketch of their deliberations—idea of a separation from Virginia suggested—and the formation of an independent member of the confederacy, inculcated—another convention recommended—incidents of Indian hostility—Nelson county formed, and established—the members elected in April, met in convention, May, 1785—their proceedings.

THE winter 1783—4, proved to be a very severe one. The frequent falls of snow, and the accumulation

office, were greater than they had been since the **HARD WINTER**.

Nothing of the kind could however restrain the surveyors, or hunters; they were out in all directions in pursuit of their different objects; nor were the frontiers annoyed by Indians: To them, a novelty, of the most agreeable nature.

Colonel Robert Johnson, removed from Bryant's and settled a new Station, at the Great Buffaloe Crossings, on North Elkhorn, his present residence. This was an exposed frontier, and afterwards became an object with the Indians; who frequently perpetrated their mischief in the neighborhood.

In many other parts of the country, new Stations were built, or settlements made, which it would be useless to enumerate.

The reputation of Kentucky, for growing population, for the increase of riches, and for abundant objects of speculation, had spread abroad, and was producing its correspondent results. The supposed restoration of peace, and the disbanding of the troops, had also their appropriate effects upon the country.

Beside several companies of land-jobbers, formed in Philadelphia, who had disgorged their immense accumulations of paper money on Virginia, for land-warrants, and who had now sent their agents to Kentucky, in order to procure locations; a mercantile, or trading company, had also been formed at the same place.

At the head of the latter, was **GENERAL JAMES WILKINSON**, who in February 1784, made his appear-

ance in Lexington. The presence, the manners, and conversation of this gentleman, were calculated to attract attention, excite curiosity, and produce interest.

Those who know him, will not doubt, that enough was soon disclosed, to place him in the most advantageous light.

He had come to settle in the country, to open a store, and to carry on commerce. His first cargo was on the Ohio, and Lexington, was to be his residence.

He had been an officer in the war, and lately a member of the Pennsylvania Legislature.

Besides these circumstances, so well adapted to prepossess the feelings, and play upon the imaginations of the simple, and rustic Kentuckians—nature herself had furnished Wilkinson, with a passport, which ensured his favorable reception. A passport, written in a language as universal as population itself. A language which all could read ; whose effect every one felt ; and which none would suspect, or scrutinise, on the first impression. A person—not quite tall enough to be perfectly elegant, was compensated, by its symmetry, and appearance of health, and strength. A countenance—open, capacious, mild, and beaming with intelligence ; a gait—firm, manly, and facile ; manners—bland, accommodating, and popular ; an address—easy, polite, and gracious ; invited access, and gave assurance of attention, cordiality, and ease. By these, he conciliated ; by these, he captivated.

Such was the impression made by General Wilkinson, which a further acquaintance contributed to modify ;

and of which we shall have occasion to speak hereafter.

At this time all that extensive region of country on the north side of Licking, remained unsettled. Having been most contiguous to the Shawanees, and Delawares, it had been considered peculiarly dangerous ; even surveying had been restrained in 1783, by an order of the principal surveyor, which remained in force during his absence for that year. But being now withdrawn, about the first of March, the surveyors proceeded to business—it was however soon discovered from the frequent, and *fresh sign* of Indians, that they had overrun the time of safety, or were too soon, to escape danger. Thinking it unsafe to remain in the woods, after making a few surveys, they returned home for safety.

Other surveyors, in other parts of the country found, the *sign* of Indians also, and sometimes fell in with parties, under very suspicious circumstances ; and who by their conduct indicated strong remains of an hostile disposition ; without, in some instances, offering any violence ; in others, they were rude, and predatory.

A recollection of recent hostility ; and a knowledge that the British still held the posts on the lakes will account for these phenomena.

While candor compels us to absolve the British government at this period, from stimulating the savages to a continuance of the war ; no doubt need be entertained, but that the traders from Canada were interested, to engross the fur trade ; and for that purpose, were equally busy, and successful in keeping up the angry passions of

the Indians, and of stimulating them to hostility, as the most certain means of effecting their object.

In the regular and straight forward course of events, the British Troops should have evacuated the posts on the Lakes, but they had not. And Kentucky was doomed to feel the stroke of war, while the atlantic part of the state enjoyed a complete exemption from its horrors.

The cup of peace, which had been grasped with so much avidity, and which promised so pleasing a draught, was struck from the lips of the Kentuckians, by the premature contests, excited about the non-execution of the treaty, between the United States, and Great Britain; and another offered in its place, filled with the corroding juice of Indian barbarity, and savage hostility.

Before the definitive treaty was signed, exceptions were taken to the embarkation of certain negroes at New-York; which it was alledged ought to have been restored to their former owners.

This was the first ground of complaint; and which as early as the 26th of May 1783 produced the following act of Congress.

“ *The UNITED STATES in CONGRESS assembled.*

“ May 26th, 1783.

“ WHEREAS by the articles agreed upon on the 30th of November last, by and between the commissioners of the United States of America for making peace, and the commissioner on the part of his Britannic majesty, it is stipulated “ that his Britannic majesty shall, with all *convenient* speed, and without causing any destruction, or carrying away any *negroes, or other property of the*

American inhabitants, withdraw all his armies, garrisons, and fleets, from the said United States, and from every port, place and harbour, within the same ;” and whereas a considerable number of negroes belonging to the citizens of these states, have been carried off therefrom, contrary to the true intent and meaning of the said articles :

“ Resolved, that copies of the letters between the commander in chief and Sir Guy Carleton, and other papers on this subject, be transmitted to the ministers plenipotentiary of these states for negotiating a peace in Europe ; and that they be directed to remonstrate thereon to the court of Great Britain, and take proper measures for obtaining such reparation as the nature of the case will admit.

“ Ordered, That a copy of the foregoing resolve be transmitted to the commander in chief ; and that he be directed to continue his remonstrances to Sir Guy Carleton, respecting the permitting negroes belonging to the citizens of these states to leave New-York, and to insist on the discontinuance of that measure.”

To understand the merits of this controversy, an attention to dates is all-important, as is also, the subject matter in debate.

Negroes in the United States are held as property—they had been taken in the course of the war, by the British army, and were now reclaimed by the United States, upon the clause in the provisional articles, which stipulated, “ that his Britannic majesty shall with all convenient speed, and without causing any destruction or

carrying away *any negroes or other property*, of the American inhabitants, withdraw all his armies, &c." It might be doubted, whether any right whatever could be claimed under the Treaty before the final articles, were at least signed, if not ratified. But the signature of the definitive treaty between the United States, and Great Britain, did not take place until the 3d of September 1783. To which a clause was annexed that the ratification should be exchanged in due form within six months, or sooner if possible, from the date. Allowing the six months, and the 3d of March 1784 would arrive. This however, is superrerogation ; as even the signature to the definitive treaty had not taken place, before the American congress asserted a right to the negroes, and complained of an infraction of the treaty, when a part of them were sent, or permitted to go away, from N. York.

It is believed that an attention to dates on this subject is the more material, because the treaty of alliance between France, and the United States, provides that "neither were to lay down their arms without the formal consent of the other first obtained." And France had not yet dispensed with that part of the treaty, nor given her formal consent ; nor had France yet made a definitive treaty ; which might have been considered as the equivalent of her express consent. Although it is true, France had in conjunction with Spain, signed preliminary articles on the 20th of January 1783.

We will now bestow a moment's attention on the clause cited, from the *preliminary articles*, upon which the United States founded their claim to the negroes.

“ His Britannic majesty shall with all convenient speed, and without causing any destruction, *or carrying away any negroes, or other property of the American inhabitants,* withdraw,” &c. On the part of the United States it was contended that the expressions “ *without carrying away negroes, or other property,*” extended as well to those negroes who had been captured, or seduced into the possession of the British during the war, as to such as might be captured, or seduced after the peace.

On the side of Great-Britain it was insisted, that the belligerent rule, which transfers property, from the former owner to the captor, applied to all the negroes reduced to their possession during the war. That the negroes sent away, of which complaint was made, were all taken during the war; and hence could not be the *property*, or *negroes* of the American inhabitants intended in the articles. Besides, said Sir Guy Carlton, “ I found them free. I cannot reduce them to slavery.”

The next subject of complaint, was the detention of the *posts on the Lakes*, and in which Kentucky was so much interested. As to the date of this complaint, it lies in the same predicament, with that about the negroes. It was made before the signature of the definitive treaty. As to the subject matter, we shall say so much, as may suffice to place it in its true light.

The clause in the preliminary articles is, “ that his Britannic majesty shall with all *convenient speed*, withdraw all his armies, garrisons, and fleets, from the said United States, and from every port, place, and harbor, within the same.” There were Michillimackinac, De-

troit, Niagara, Oswego, Oswegatchie, Point-au-fer, and Dutchman's Point, enumerated as being within the American lines, and contiguous to the Lakes, from which the British Garrisons had not been withdrawn previous to the 12th of May 1783. When the extreme solicitude of congress to realise, if not to anticipate the effects of the treaty, induced that hon. body, to act as follows :

“ *Resolved*, That the commander in chief be directed whenever the frontier posts in the United States shall be evacuated pursuant to the articles of peace, to place therein, of the troops under his command, who have enlisted for three years, and whose term of service may not then have expired, such force as he may judge necessary to secure and hold the same, until further measures can be taken for the security of such of them as it may be necessary to continue to support, provided it does not exceed the term of nine months ; and that he take measures for exchanging with the British, or transporting such artillery, stores and provisions, as he may judge necessary for that purpose ; and the superintendant of finance is directed to afford all the assistance in his department which circumstances will permit.”

The commander in chief being in due form notified of this *resolution*, dispatched his orders to BARON SCUEBEN, who on the 3d of August 1783, wrote the following letter to General Haldimand :

“ CHAMBLY, August 3d, 1783.

“ SIR,

“ THE United States of America in congress having charged their commander in chief with making the ne-

cessary arrangements with the commanders in chief of the British armies, for receiving the posts now occupied by the troops of his Britannic majesty, and which are within the United States; for this object, as well as for others relative to the preliminary articles of peace, I am ordered by his excellency General Washington, to concert such measures with your excellency, as shall be mutually agreeable.

“Major North, my aid-de-camp, will inform your excellency, that I am on my route to Quebec, where I expect in three or four days, to assure you that I am,

“Your excellency’s most obedient humble servant,

“STEUBEN.

“*His Excellency General Haldimand.*”

General Hallimand’s definitive answer.

“ST. JOHNS, 13th August, 1783.

“SIR,

“IN answer to the letter which I had the honor to receive from you yesterday, desiring a final answer, in writing, to the requisitions which you have made in the name of the United States, I very readily comply with that desire, though the sense of my answer can be no more than a repetition of that which I have made to his excellency general Washington, delivered to you under a flying seal. I have, therefore, the honor to acquaint you, that however definitive the United States may consider the provisional treaty to be, the sense I have of my duty, and the customs of war, will not permit me to consider a cessation of hostilities in that light. The orders

I have received, direct a discontinuance of every hostile act on my part, and an attention to defensive measures only, I have most punctually obeyed them, and shall continue to do so, until I shall receive his majesty's further commands. I have not a doubt of the wishes expressed in your letter, of the United States to establish a perfect harmony with Great-Britain, by making good every engagement on their part. You will at the same time allow me to express an equal confidence, that every promise on the part of Great-Britain, will, in due time, be fulfilled. But it is not for me to anticipate them on this occasion. When the ratification of peace shall be announced to me, I beg you will be assured that it will afford me the highest pleasure to execute every instruction I shall receive relative to it, with the utmost punctuality and dispatch; until that event shall arrive, it is totally out of my power to permit you to proceed to the posts in the upper country, or in fact to treat with you on the subject of your mission. Wishing you a safe and agreeable passage,

I have the honor to be, &c.

“FRED. HALDIMAND.

“*Major-general Baron Steuben.*”

This correspondence requires no comment.

On the 14th of January 1784, Congress, reciting the definitive treaty, RATIFIED the same; and resolve that the said ratification be transmitted to the American ministers in France, to be exchanged with all practicable dispatch. It belongs to the subject to remark that the ratification of the treaty has these words in the reci-

tal: "and having for this desirable end, already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France, and his Britannic-majesty should be ready to conclude such treaty accordingly; and the treaty between Great-Britain and France having since been concluded."

The same day they proclaim the treaty as ratified, and enjoin the observance. This is the first time that it could be considered as binding on the United States; nor was it then binding on Great-Britain, until the ratification on her part.

Long before this time, and previous to the signature of the definitive treaty, the dispute had produced among the people at large a considerable degree of irritation; claims had been made and refused, accusations and recriminations ensued. Great-Britain was charged with violating the treaty—the charge was retorted on the U. States.

Other subjects were now pressed into the controversy. Not only were confiscations to cease, but congress was to recommend a restoration of confiscated property—this they did, which the states disregarded. And the reproach of injustice, and ill-faith, was cast at them, on

all sides ; by friends, and by foes, who thought the recommendation of Congress, a warrant for compliance.

The state Legislatures were however but little moved to compliance, by any sense of national obligation, so loosely constructed ; and which at the same time pressed so hard against the personal interest, of themselves and their constituents.

Besides, it was obvious to remark, that Congress had only engaged to recommend to the states a restoration of confiscated property—that accordingly, the recommendation was made ; and the national honor preserved, untainted.

The states, it was contended, acting as free agents,—and independent sovereignties, could only be bound by their assent, expressed, or implied. And against this argument, no efficient answer was found. The states exempted themselves from compliance. British subjects complained, and the government remonstrated. But the consistency of the states, soon extinguished all hope, of success.

To say the very best of this case for the British claimants, it was one of much doubtful speculation.

There was however another class of cases, which was embraced in terms of obligation so clear as to admit of no doubt. We mean, the case of the debts.

This now became an object of earnest attention to the British creditors, and still more so, to the American debtors. It was obvious that many of the latter had

hoped the debts were extinguished by the war ; and that they most ardently desired to avoid the payment.

Hence we are not to be surprised, if they sought for pretexts to evade their liquidation ; and even interposed, when it was in their power, legislative acts, to their recovery.

This, it is true, had been most expressly guarded against, by the treaty. The fourth article of which stipulated—“ That the creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money, of all *bona fide* debts—heretofore contracted.”

The nature of the connection, and the course of trade between the two countries, had made but few debtors in Great-Britain, while there were many in the U. States ; and especially in the middle, and southern sections, of the union.

For eight years the war had suspended the collection of these debts—the treaty had secured their payment ; it was but natural, the creditors should demand their disbursement.

Unexpectedly, British subjects found themselves embarrassed by *legal impediments*, to their recovery. Of course they complained ; and for once with justice.

Many of the states in the time of the war, had passed laws to prevent or suspend the collection of debts. These acts in most cases remained in force.

As early as the 22d of June 1784, the Legislature of Virginia, a state whose quota was one-sixth of the gene-

ral contribution, and who owed more British debts, than any other, adopted the following measure. :

“ VIRGINIA, *to wit.*

“ *In General Assembly, the 22d of June, 1784.*

“ IT appearing to the general assembly, from a letter from his excellency General Washington, dated the seventh day of May, 1783, that in obedience to a resolution of congress, he had a conference with General Carleton, on the subject of delivering up the slaves and other property belonging to the citizens of the United States, in compliance with the articles of the provisional treaty ; that he (General Carleton) appeared to evade a compliance with the said treaty, by a misconstruction of the same, and permitted a large number of the said slaves to be sent off to Nova Scotia. It further appearing to the general assembly, from the testimony of Thomas Walke, Esquire, that he, together with several other persons from the counties of Norfolk and Princess Anne, in or about the month of April, 1783, went to New-York, with a view of recovering the slaves which had been taken from them by the British troops during the war ; that not being permitted to take possession of those slaves which they found in that city, the said Walke made a personal application to General Carleton, and requested a delivery of the said slaves, in compliance with the seventh article of the treaty, which prohibits the carrying off negroes, or other property, belonging to the inhabitants of the United States ; this he peremptorily refused, alleging that he was not authorised to do it, without particular instructions from the British govern-

ment ; that at the time of this application the said Walke was informed by an aid-de-camp of General Carleton, that an agent was appointed to superintend the embarkation, and keep a register of slaves sent to Nova Scotia, and that he afterwards saw the said register, and also saw a large number of negroes embarked to be sent to that country. It farther appearing to the general assembly, from the testimony of Mr. John Stewart, of the state of Maryland, as well as from a variety of other circumstances, that many applications were made to General Carleton by citizens of America for the restitution of property, which were invariably rejected :

“ Resolved, That there has been an infraction, on the part of Great-Britain, of the seventh article of the treaty of peace between the United States of America and Great-Britain, in detaining the slaves and other property of the citizens of the United States.

“ Resolved, That the delegates representing this state in congress be instructed to lay before that body the subject matter of the preceding information and resolution, and to request from them a remonstrance to the British court, complaining of the aforesaid infraction of the treaty of peace and desiring a proper reparation of the injuries consequent thereupon ; that the said delegates be instructed to inform congress that the general assembly has no inclination to interfere with the power of making treaties with foreign nations, which the confederation had wisely vested in congress ; but it is conceived that a just regard to the national honor and interest of the citizens of this commonwealth obliges the assembly to with-

hold their co-operation in the complete fulfilment of the said treaty, until the success of the aforementioned remonstrance is known, or congress shall signify their sentiments touching the premises.

“ Resolved, That so soon as reparation is made for the aforesaid infraction, or congress shall judge it indispensably necessary, such acts of the legislature passed during the late war, as inhibit the recovery of British debts, ought to be repealed, and payment thereof made in such time and manner as shall consist with the exhausted situation of this commonwealth.

“ Extract from the journal of assembly,

“ JOHN BECKLEY, CLK. H. D.”

It is worthy of observation, that this act of Virginia is of a date subsequent to the full ratification of the definitive treaty—that it contains a plain avowal of her intention to withhold her co-operation in the execution of that treaty. An avowal which she founded upon the *detention of the negroes*; by the British; and which she construed into a breach of the treaty. Although the alleged acts were done before the treaty was ratified, or could well be violated, had the terms been clearer. An avowal calculated to produce suspicion, and which led directly in its consequences to the detention of the posts; in which Kentucky, was so immediately interested. And the effects of which, she has had such abundant cause to regret.

At the time Virginia took this measure, as rash as it was haughty, there could not be, nor was there, in fact, any well grounded complaint against Britain for withholding the western posts.

For, as we understand the subject, a treaty, like other contracts, is not binding until finished, and ratified. That counting from the ratification, which, on the part of Great-Britain, was the 9th of April, 1784; and exchanged with the U. States, May 12, 1784; the posts might have been evacuated, yet as there was no precise time stipulated, nor demand made after ratification, the lapse of time had not been so great, as to authorise a charge of infraction, on that account. And this we suppose is fully corroborated by the silence of Virginia on that topic; on which, she would otherwise have complained.

Indeed, when we advert to the letter of Governor Clinton, under date of March 19th, 1784, to General Haldimand, and which we consider wants the authority of the United States, and maturity, to make it a legitimate demand, for any of the posts; and which letter is answered, from Quebeck the 10th of May 1784, we perceive there was no reasonable time, between those periods, and the 22d of June in the same year, which dates the before recited act of the Virginia legislature, for a well grounded complaint of their detention. Nor does it appear to have been made.

Deeming this correspondence of sufficient importance for insertion, we shall give it literally :

“ Copy of a letter from his Excellency Governor Clinton, to his Excellency General Haldimand, dated New-York, March 19th, 1784.

“ SIR,

“ I NOW do myself the honor to transmit to your excellency the copy of a proclamation of the United

States of America in congress assembled, announcing the ratification of the definitive treaty of peace, between these states, and his Britannic majesty, and enjoining a due observance thereof.

“ Having no doubt that your excellency will as soon as the season admits, withdraw the British garrisons under your command, from the places they now hold within the U. States, agreeably to the 7th article of the treaty, it becomes a part of my duty to make the necessary provision for receiving the post of Niagara and the other posts within the limits of this state, and it is for that purpose, I have now to request that your excellency would give me every possible information of the time when those posts are to be delivered up.

“ Lieutenant-colonel Fish who will have the honor to deliver this dispatch, is entrusted to confer with your excellency, and to endeavor to make such arrangements for the transaction of this business as shall tend to promote mutual convenience, and that harmony which it is the interest of both parties, and doubtless their desire to establish.

“ I have the honor to be, &c.

“ GEO. CLINTON.

“ *His Excellency General Haldimand.*”

“ *His Excellency General Haldimand's Answer to the foregoing Letter, dated Quebec, 10th May, 1784.*

“ SIR,

“ SOME accident, which has befallen the packet or messenger, has hitherto prevented me from receiving from England, any notification of the definitive treaty :

but as in consequence of orders which I received last summer, subsequent to the ratification of the preliminary articles, all hostilities ceased, no great inconveniences have hitherto arisen from that misfortune. I only regret, that not having had the honor to receive orders and instructions, relative to withdrawing the garrisons from the upper countries, which are without the limits assigned to the province under my command, by the definitive treaty, I cannot, at present, enter into any arrangements with Lieutenant-colonel Fish, or give your excellency the information which you desire.

My duty and my inclination is, to pay cheerful and punctual obedience to the orders and instructions which I shall have the honor to receive ; and your excellency may be assured, that upon every occasion, I will exert my utmost endeavors to promote harmony and mutual convenience between the subjects of both nations, as well as in my transactions with your excellency, or the United States of America.

“ I have the honor to be, &c.

“ FRED. HALDIMAND.

“ *His Excellency Governor Clinton.*”

On the 12th of July, 1784, Lieutenant-colonel Hull, having arrived at Quebec, addressed the following letter to General Haldimand :

“ SIR,

“ I AM instructed to request of your excellency, in behalf of the United States of America, the precise time when each of the posts within their territories, now occupied by his Britannic majesty's forces, will be deliver-

ed up agreeably to the definitive treaty of peace, and to propose, as a matter of mutual convenience, an exchange of certain cannon and stores now at the posts to be evacuated, for cannon and stores to be delivered at West Point, N. York, or some other convenient place. With regard to the first point, as the season of the year is already far advanced, and as much time will be required, in furnishing the necessary supplies for the garrisons during the winter, it is an object of very great importance, and I must beg leave to be solicitous with your excellency to fix a very early period.

“As the posts of the above description are numerous, and it being probable that it may not be convenient to withdraw the troops from the whole exactly at the same time, I wish your excellency to fix the precise period when each will be delivered up.

“If your excellency approves the proposal of exchanging the cannon and stores, it will be necessary to fix on some criterion of their goodness: I would, therefore, propose, that the particular negociation be referred to two artillery officers, one from each side, who shall personally inspect the cannon and stores, and in case of not agreeing, call in a third person.

“I have the honor to be, &c.

“WM. HULL.

“*His Excellency General Haldimand.*”

And this we consider, to be the first regular, and legitimate demand, ever made for the evacuation, or delivery of the posts.

The answers are subjoined.

“His Excellency General Haldimand’s answer to the foregoing letter, dated Quebec, 13th July, 1784.

“SIR,

“I HAVE had the honor of your letter of yesterday, and have communicated to Major-general Knox, by the enclosed letter, the reasons which put it out of my power to enter, for the present, into the consideration of the matter mentioned in your letter.

“I have the honor to be, &c.

“FRED. HALDIMAND.

“Lieutenant-colonel Hull.”

“Copy of a letter from his Excellency General Haldimand, to Major-general Knox, dated Quebec, 13th July, 1784.

“SIR,

“I HAVE had the honor to receive your letter dated New-York, 13th of last June, by Lieutenant-colonel Hull, acquainting me you were directed by congress, the sovereign authority of the United States, to write to me, in order to ascertain the precise time when each of the posts within the United States, now occupied by the troops of his Britannic majesty, shall be delivered, agreeably to the definitive treaty of peace, and to propose, as a matter of mutual convenience, an exchange of certain cannon and stores, now at these posts, for others to be delivered at West Point, upon Hudson’s river, New-York, or some other convenient place.

“I have the honor to enclose, for your information, copies of letters which passed between his excellency Governor Clinton and me, upon the first part of your proposition. Though I am now informed by his majesty’s

ministers, of the ratification of the definitive treaty of peace, I remain, in other respects, in the same situation I then was, not having received any orders to evacuate the posts which are without the limits assigned, by the treaty of peace, to this province.

“ It is, therefore, impossible for me to ascertain the time when the evacuation of these posts shall commence. I can only assure your excellency, that I shall lose no time in carrying into execution his majesty’s orders on that head, when I shall have the honor to receive them.

“ In the mean time, I have to acquaint you, that however desirous I am to consult mutual convenience, I am not at present empowered (and have reason to think I will not in future be empowered) to make the exchange of cannon and stores proposed by you, and for which Lieutenant-colonel Hull was authorised to make the proper arrangements.

“ I have the honor to be, &c.

“ FRED. HALDIMAND.

“ *His Excellency Major-general Knox.*”

The terms of this correspondence are too perspicuous to need an observation.

The date will shew that Virginia had previously declared her intention of violating the treaty.

We have pursued the subject to this point that we might leave no obscurity in a case of so much interest, to Kentucky, and which we have never before seen presented in its true colors, to the public eye.

If indeed, the removal, or detention of the negroes, had been a breach of the treaty, it surely did not belong to

Virginia, to declare that breach, and as a consequence, to refuse to execute the treaty on her part. Inasmuch, as congress, was charged with the foreign relations of the U. States, and possessed exclusively the treaty-making power, and of course, the treaty-breaking power. Congress had not declared the detention of the negroes such a breach, as would warrant the non-execution of the treaty on the part of the United States. For long subsequent to the complaint about the negroes, to wit, on the 14th of January, seventeen hundred and eighty-four, congress had ratified the treaty, and recommended to the states, the restoration of confiscated property ; and otherwise, manifested an intention of executing it with good faith. But the experiment on the subject of confiscated property, soon proved to Great-Britain, that the head, was nothing, without the co-operation of the members ; and that, the declaration of Virginia, of the 17th December 1782, that she would not restore the property, and which was known in England in 1783, was of much more importance, than the recommendation, of congress.

It is believed that the terms of the treaty did not include the negroes, in the possession of the British ; consequently their detention was no infraction of the treaty. And this idea would derive great confirmation, were it necessary, from comparing the terms of the same treaty, on the subject of stores, archives, records &c. which were to be restored, with the provision, as to the negroes, and other property, which were not to be carried away. But we do not mean to protract this discussion ; since it is very obvious, that permitting laws to remain in force

which impeded the recovery of debts, was a palpable violation of the treaty, and furnished an ample reason for the detention of the posts. And which, it presently became obvious, the British did not mean to surrender.

From this time the parties were at open variance. Provocations to ill will, and to obstinacy, were furnished on both sides ; while facts and arguments, became so numerous, distorted, and confused, that no ordinary capacity could develope the right, from the wrong. In the United States, the prejudices, and the passions of the multitude, were completely enlisted against Great-Britain : nor have they been liberated to this day. A few things the people could understand, as told to them ; and they were incessantly told, that G. Britain, had not only made war, on them ; but that after peace, she was still their enemy—she had carried away the negroes—she had claimed the payment of the debts—and she kept the posts.

The latter had the effect no doubt to keep up the hostility of the Indians against Kentucky ; and whatever might be the origin of the dispute, or the means by which it was perpetuated, the people of Kentucky could but dislike the British, then ; nor has there been wanting circumstances since, to perpetuate their animosity ; of which we shall have occasion hereafter, to take further notice.

In the summer of this year, SIMON KENTON, an early, intrepid, enterprising, and meritorious, adventurer to Kentucky, with a small party, retook possession of an improvement which he had made in 1775, near the

head of the right hand fork of Lawrence's creek; now in the vicinity of Washington.

Here he built a block-house, and prepared for a permanent residence; being the first attempt made to extend the settlements into that section of the country.

In the succeeding autumn, the family of George Clark, and some others, (Kenton being unmarried) accompanied him, to his station; which by becoming a barrier in that quarter, encouraged other settlements; and afforded a protection of great importance to the emigrants, who landed at Limestone: where Kenton, in company with Edward, and John Waller, raised a block-house, the same season.

At this place, we purpose paying that attention to Simon Kenton, which our own feelings, his merits, and the usefulness of history, unite in claiming at our hands.

Forever grateful to the heart of sensibility, be the memory of that man, who, owing to nature his existence only, has by a series of labor, and exertion, made one public service, but a step to another, equally, or still more, important than the preceding: who born in indigence, and nurtured in ignorance, found himself a man in the wide world, without a ray of science to guide him; or even the rudiments, by which it was to be acquired; and who resting upon himself alone, has by perseverance in an honest course of public service, won rank, and fortune, and fame. Such a man is Simon Kenton; whose biography it will be our agreeable business, to unfold.

In the county of Fauquier, and colony of Virginia, on the 19th of April, 1753, was Simon Kenton born, of poor, but respectable parents.

At the age of nineteen years, his total ignorance of letters, had not impaired his growth, nor checked the flow of his spirits; he was straight, tall, robust, and athletic. The indecision of his *swart-heart*, and the jealousy of a rival, drew him into a combat, which after the exchange of many hard blows, discomfited his adversary—who however obstinately refused to be friends.

Kenton, now thinking himself a man, determined to seek his fortune in another part of the world; with this view and to elude the enquiries of his friends, he migrated to the north-west, and changed his family name, to that of Butler. After some months residence, west of the Blue Ridge, he understood that his friends had heard of him; and he removed to the neighborhood of Fort Pitt; where he continued until 1773. Hearing that Doctor Wood, purposed descending the Ohio in quest of a new country, and rich land, Butler joined him, and soon after went down the river to the mouth of Cabin-creek; making various improvements on the bottoms, as they progressed. From the mouth of Cabin-creek, they returned to Fort Pitt, by the way of Greenbrier.

By this time, Simon Butler, was distinguished as a woodsman, and appointed a spy. An office of much importance, on an Indian frontier.

In 1774, Lord Dunmore made his campaign against the Indians, and was joined by Butler, whom he appointed

one of his spies—and rangers. He was afterwards selected, by his Lordship to carry dispatches to Colonel Lewis, at the mouth of the Great Canhawa; where the battle of the Point was fought, a few days after he left the place.

He attended Dunmore on his expedition; was at the treaty with the Indians; and again returned to Fort Pitt.

In February, 1775, accompanied by two other men, Butler, descended the Ohio, and landed about the place where Augusta now stands: thence he proceeded into the country, in search of rich land; and being pleased with the appearances of the soil, water, &c. he selected, and improved, the place, which has been mentioned near Washington. He had now found the country for which he had been searching; and here he determined to fix his residence. After raising a cabin, he, with his companions, hunted out to the Blue Licks; supposing as peace had recently been made, that no danger ought to be apprehended from the Indians.

This pacific idea however agreeable, was far from being well founded. And Butler, after returning to his camp, from a hunt, found one of his comrades, murdered and thrown into the fire. Thence he proceeded southwardly into the interior of the country; touching at M'Cleland's camp, and assisting him to build his fort. He visited Harrodsburg, Logan's camp, and Boonesborough.

Thus he became acquainted with the first settlers in the country; to whom he was every where serviceable;

and with whom, he every where partook of danger, for the residue of that, and the whole of the next year.

He generally acted as a spy, and was in sundry skirmishes, besides several sieges, at Boonesborough.

In 1778, he joined Colonel G. R. Clark, and was with him at the capture of Kaskaskias. After the fall of that place, Butler, with others, was sent to Kentucky with dispatches ; on their way, they fell in with a camp of Indians with horses ; they broke up the camp, took the horses, sent them back to Kaskaskias, and pursued their rout, by Post St. Vincennes. Entering that place by night, they traversed several streets, and departed without discovery, or alarm, after taking from the inhabitants who were hostile, two horses, for each man. When they came to White River, a raft was made on which to transport the guns, and baggage, while the horses were driven in, to swim across the water. On the opposite shore there lay a camp of Indians, who caught the horses as they rose the bank.

Butler, and his party, now finding themselves in the utmost danger, permitted the raft to float down the stream, and concealed themselves till night ; when they made another raft at a different place, on which they crossed the river, returned safe to Kentucky, and delivered the letters, as they had been directed ; some of which were intended for the seat of government.

This part of his duty being discharged, Butler made a tour to the northern part of the country, and in the same year was made prisoner by the Indians. They soon after painted him black and informed him, that at Chillicothe,

where they were going, he should be burnt. Nor were they willing to permit him to pass the interim, without adding to his mental pains, those of the body. Not more to torture him, than to amuse themselves, they mounted him on an unbroke, and unbridled horse ; tied his hands behind his body, and his feet under the animal ; and then let him loose to run through the bushes.

This he did capering, and prancing, through the worst thickets, thereby to discharge his load, but in vain. There is no means left of checking the horse, or of guarding the body, or face, or eyes, from the brush. This rents the clothes, and almost tears the flesh from the bones—to the very great amusement of the savages—and to the great danger of the rider's life.

The horse, at length worries himself, becomes gentle, and rejoins the cavalcade ; which now approaches within a mile of Chilicothe ; the Indians halt, dismount their prisoner, and prepare the stake. At this, they kept him tied, and standing, for nearly twenty-four hours ; with what sensations, can better be imagined, than expressed. From the stake, however, he was not released, by fire ; but taken by the Indians, to run the gauntlet. At this place, there were assembled, five, or six, hundred Indians, of all ages, sexes, and conditions. These were armed with every kind of hand-weapon known to savages ; and formed into two rows, reaching to the council house ; distant nearly one mile. Butler was now told, that he was to run between these files to the drum ; which was beaten at the council-house door ; and that, if he could get into the council-house, he should be cleared.

But that he was to expect a blow from each Indian, as he passed. Next, he was placed between these ranks, and put into motion, by an order, and a blow. In a little time he broke through one of the files, before he received many blows, and continued running for the council house door ; which he had nearly gained, when he was knocked down by a warrior, with a club. Here he was severely beaten, and again taken into custody.

In this distressed, and miserable condition, when life had become burthensome ; and death, would have been a relief, was he marched, from town, to town ; often threatened to be burnt at the stake ; and frequently compelled to run the gauntlet.

On one of these occasions, he broke the rank, determined, at the risk of his life, to make his escape ; and had actually gained a considerable advantage of his foot pursuers, when he was met by some Indians coming into town on horseback, and compelled to surrender.

At thirteen towns, he ran the gauntlet, and was certainly to have been burnt, at the Lower Sandusky. But an accident suspends his progress, and seems to change his destiny.

At the Upper Sandusky, resided Simon Girty ; who had just returned from an unsuccessful expedition against the frontiers of Pennsylvania ; and in very bad humor. Hearing that there was a white prisoner in town, he sought him, fell upon him, threw him on the ground ; and to color his violence, accused him of stealing the Indians' horses. Butler, recognising Girty, made himself known. They had been comrades, and

friends ; Girty is astonished, to find him in such a situation ; relents, raises him from the ground, offers him his hand, promises to save him from further injury, and to obtain his release from captivity.

The horrors of his mind, now yielded to the cheering prospects of hope, and better fortune ; and the little life which yet languished in his bruised, and emaciated body, became an object of his solicitude.

A council was called, the case stated, and Girty's influence, obtained a decree of liberation, in his favor. Girty now took him to his house, bestowed on him the rights of hospitality, washed his wounds, and dressed him in a new suit of clothes.

For five days, he was at liberty, and felt himself recovering, both strength, and spirits. But such is the instability of a disorganised democracy, and the spirit of ferocity in uncivilized man, that the chiefs of several neighboring towns, hearing that the white prisoner, was set free, now became dissatisfied ; and repairing to Sandusky, demanded another council. This was accordingly held, and the former decree in favor of Butler, notwithstanding all Girty's exertions, promptly reversed ; he once more reduced to the condition of a prisoner, and his former sentence of death renewed against him. Girty was now compelled to give him up, and he was marched away to Lower Sandusky, to be burnt. At this place, he met with Peter Drewyear, Indian agent from Detroit. Drewyear, from motives of humanity, interceded with the council, and obtained permission to take Butler with him, on his return home. At Detroit he was given up

to the British governor, and paroled, with orders to appear at nine o'clock, each day, when the drum beat for parade.

This partial freedom, was solaced with joy, by meeting with Jesse Coffey, Nathaniel Bullock, and others from Kentucky; who had been taken prisoners by the Indians, and found safety for their lives, at a British garrison.

In some short time Butler, and the two men, just named, found means of escape, and in 1779 returned to Kentucky, after a march of thirty days through the woods.

In the same year Butler, went to St. Vincennes, with a party to guard that place; whence he returned in the end of the summer: and in 1780 he was on Clark's expedition.

In this year, his brother John Kenton, came to Kentucky; and recognising Simon, he resumed his family name, by which he has since been known.

In 1781, he resided at a new settlement on Salt river: and the next year, commanded a company, in the expedition against the Indian towns.

He had become a locator of land, and was now for a year, or two, engaged particularly, in attending to the surveyors. Frequently encountering the most imminent danger from the Indians.

In 1786, with thirty-six men, he crossed the Ohio, surprised a camp, and defeated a large party of Indians, on Bullskin; and retook their plunder. In this year, he commanded a volunteer company, on Colo. Logan's

expedition. The next year with forty-six men, he pursued a large party of Indians to their camp, where New-Market, now stands. They had just decamped ; which was a fortunate circumstance, for he ascertained by their *sign*, that they were at least, twice his number.

The same year, the Indians took a waggon on the road near the Blue Licks, and made a man by the name of Scott, prisoner ; Kenton, with a party, followed the Indians thirty miles over the Ohio, and retook Scott.

For the three succeeding years, Kenton had many scouts, after the Indians who in small parties infested the country, on the northern frontiers. And in 1792, the 17th of April, he followed with his company, a party who had stolen horses, to the East fork of the Little Miami ; came up with them in camp, attacked them, and would have defeated them ; but the firing, alarmed some adjacent camps, whence reinforcements were immediately sent ; which placed his party in the utmost danger ; from this, he extricated it, by a timely retreat, with the loss of two men : that of the enemy, was never known.

About the same time of year, 1793, he attacked another camp of Indians on Paint creek ; killed a man by the name of WARD, who having been taken a prisoner, from Greenbrier, when young, had remained with the Indians.

In this attack, the Indians descended the bank of the creek, which concealed them. And Kenton apprehensive of reinforcements to the enemy, left the ground before day-light.

This year, Colonel John Edwards, headed a party of two or three hundred men on an expedition, intended against some of the near towns on the Sciota, which however he did not reach ; of this party was Kenton.

Kenton, commanded a company of horse on General Wayne's campaign of 1794.

In 1795, there was peace, with the Indians. And from this time Kenton turned his attention to the habits of domestic, and civil life. He attained the rank of a Major in the militia ; and the character of a good citizen, and an honest man.

His early, and general knowledge of the country, had enabled him to locate many land-warrants ; whence he was considered the proprietor of much valuable land. And here we can but regret his want of education. He could not read, or write ; circumstances which more or less, placed him in the power of every one with whom he made contracts : and in a manner withdrew from his view, or placed on his memory, those which he had made. The ease with which, as he supposed, he made land, induced him to sell out a great amount ; and the purchasers, as was the custom of the country, paid for it, with the most perishable materials. Besides, his locations, like those generally made at early periods, were found to be vague, subject to dispute, and frequently lost. He thus found himself involved in controversy, and embarrassed by litigation, which presented an inextricable labyrinth, of hazard, expense, and trouble ; with which he became disgusted : and for which he left the statē. Preferring rather to encounter the Indians on the frontiers of Ohio,

than the law-officers, of Kentucky. He now bears the rank of General ; and enjoys a competency only.

Thus have we chosen to give, in a connected series, this biographical sketch, although in it we have anticipated the regular chronology of events. Which in our opinion, appeared the less objectionable, because while they are such as we could not safely omit, they seem to belong particularly to the life of Kenton ; and would have appeared as digressions, from the general history. Which will now assume new political aspects of the most interesting nature.

In the autumn of this year, information was received by Colonel Benjamin Logan, that some of the Cherokee tribes meditated an invasion of the southern frontiers. While those to the north, made several demonstrations of hostile intentions ; which were readily connected in the public mind, with the detention of the posts.

These circumstances, induced Colonel Logan to propose a meeting of such citizens, as chose to attend, at Danville, for the purpose of concerting the means of general security. The meeting was effected, and as an introduction to the main object, Logan communicated the intelligence he had received. All had a distinct perception of the evil ; for which a remedy was now to be devised. After a short consultation, the unanimous opinion was, that the surest way to guard against the threatened mischief, was to frustrate the enemy, by invading them. This led to another enquiry of much more difficulty. Who was authorised to order an ex-

pedition, to call out the men, and to supply them, with necessary ammunition, and provisions ?

Upon an investigation of the existing laws, they were found wholly inadequate to these objects. No man, or collection of men in the district, were competent, to call the militia into service, for offensive measures. The district contained no public magazine of arms, or powder, equal to the necessary supply. There were no provisions in store, nor funds, to purchase. The citizens individually, had arms, ammunition, and provisions. There was no law to conscript the owners—none to place their effects in requisition. The expeditions heretofore carried on against the Indians, had been effected in time of public war, and under an universal impression of danger ; but now a change had taken place in these circumstances. The syren song of peace had been sung, danger itself had retreated to the frontiers. And if formerly some force had been used, and tolerated for the public safety—it would now be too hazardous an experiment, when that safety was not apparently jeopardised. No expedition could be ordered. In vain would it be to propose one of volunteers. The danger was not sufficiently imminent. The inconvenience and the expense to be incurred, were serious objections. The government, might disapprove of the measure, and refuse to reimburse the expenditure, to pay the officers, and men, or to compensate them for losses.

The project was abandoned ; no expedition took place. Perhaps the intelligence which occasioned Colonel Logan to convoke the meeting, was premature ;

perhaps an expedition at this time would have been unfortunate. For certain it is, no invasion of Kentucky was made by the Indians.

It is however to be noticed, and regretted, that some *out-lyers* of the Chickamoggas, committed depredations on the wilderness road, upon the travelling emigrants.

This had often been the case ; and again similar acts of violence were inflicted, when whole companies were either killed, taken, or dispersed.

The deliberations at Danville, sufficiently developed the situation of Kentucky, as to her legal resources for defence, to make some change, a desideratum of the first importance.

It was now apparent that her inherent strength was every way equal to her protection, and security, against the Indian tribes, though numerous. And that she required only the faculty of bringing this strength into action, to be every way competent to her own preservation. But to want this faculty, was a tremendous defect in her political condition ; locally situated as she was.

Physically, Kentucky might be compared to Sampson going down to the Philistines—politically, to the same Sampson, after his amour with Delilah.

To an intelligent people, concerned about their own political situation, there is no dilemma which is inextricable ; no evil, without a remedy. Wherever freedom of action is unrestrained by despotic power, and follows the freedom of discussion, the means of safety being the first objects of the people's duty, and belonging essenti-

ally to their rights, cannot long remain unknown, or un-attained.

To the people of Kentucky, forming a part of Virginia, and accustomed to look up to her for acts of legislation, and for grants of authority, it was both natural and reasonable to apply to her for the means of protection. At least for the legalised right of using those means, which God, and their own spirit, and exertion, had put into their power for that purpose.

The right which exists in nature to resent injury, and to seek redress for grievances, had been sanctioned in the constitution of the state, by authorising remonstrance and petition, to the Legislature.

This right was familiar in practice to the people, on ordinary subjects ; but it was thought the present state of the country, had assumed unusual importance ; and to make the contemplated application to the Legislature, with the greater propriety, and best effect, it was deemed expedient by the assemblage at Danville to invite to the same place in the month following, a CONVENTION of the representatives of the whole people of the district : in order that the result of their joint deliberations might be presented to that honorable body, for relief.

The crisis, it was said, presented hostility without, and anarchy within.

This assemblage recommended in a circular letter, addressed to the people, that each militia company in the district should elect on a day, therein named, one representative, to meet in convention at Danville, on the

27th of December 1784, to take into consideration, the important subject of self-defence.

The recommendation was well received; the elections were made agreeably to requisition; and the deputies assembled, at the time and place appointed.

They hence placed themselves in a deliberative position under the denomination of "convention;" having elected Samuel M'Dowell, president; and Thomas Todd, clerk.

Their enquiries and deliberations, now directed to the means of obviating existing difficulties, and of guarding against those of a similar nature in future, were conducted with much decorum; which after a session of ten days, resulted in the opinion, that many of the causes of complaint, might be removed by the legislature of the state; while others, and those of the greatest magnitude, taking their rise in the local situation of the country, and existing in the very nature of the government, were beyond her legitimate power of redress in the ordinary mode of legislation; and could only be obtained by a separation of the parts, and the erection of Kentucky into an independent member of the confederation. An expedient, which was sanctioned by the constitution itself, was therefore embraced with considerable ardor by many of the convention, who urged the exposed situation of the country, and its want of political power, as unanswerable arguments, for its adoption.

Thus dawned the aurora of separation, which some hailed with auspicious invocations; and others deprecated with ominous forebodings.

In fact, it suggested an untried state of things, not destitute of risk, when viewed as relative to the heterogeneous mass of people within, or the feeble state of the confederation, connected with its domestic, and foreign relations.

Those who felt themselves at their ease, in places of safety—those who were strongly attached to Virginia—those who were unmoved by new objects of ambition—could but anticipate the event with some apprehension ; or openly opposed it as premature.

There was however a decided majority in the convention, in favor of the separation.

Hence it was recommended very earnestly, to the people, by a resolution of the convention, that they should, at their general elections, in April of the next year, for members of the legislature, also choose representatives, to meet in convention in the May following, at Danville, for the express purpose of considering, and deciding on the propriety and expediency of applying to the general assembly for an act of separation, and permission to become an independent member of the union.

There being no printing-press in the country, some pains were taken to inform the people, of the extraordinary election of members for convention ; and to explain to them the objects proposed ; by written circulars, and otherwise.

There was an immense accession to the settlers ; and very great extension given to the settlements, during this autumn. Many genteel families, and persons of information, were among the emigrants. The frontiers

were greatly extended, many parts recently exposed to danger, now became quite enveloped within the pale of safety ; had the Indians even kept up their usual hostility : but there was in this year a very sensible relaxation in their depredations. Indeed they were pacific, for a while : and some friendly intercourse took place between their parties, and the people of the country.

On the first of January, 1785, all that part of Jefferson county “ south of Salt River, became Nelson county.

The winter revolved as usual ; in March the Indians killed a part, and dispersed the residue of a family, recently settled at the mouth of Kentucky. Their sign was frequently seen by the surveyors, and hunters ; they stole horses ; and kept the frontiers in a state of alarm, without doing much real injury.

April arrived, and the election of members for the convention took place, agreeably to previous recommendation.

On the 23d of May, they assembled in Danville. And having organised themselves as a convention, they proceeded to business. On the ninth day of their sitting, they came to sundry resolutions, which we deem worthy of being transmitted to posterity. They follow—

“ Resolved unanimously, as the opinion of this convention, That a petition be presented to the Assembly, praying that this district may be established into a state, separate from Virginia.

“ Resolved unanimously, as the opinion of this convention, That this district, when established into a state, ought to be taken into union with the United States of

America, and enjoy equal privileges in common with the said states.

“ Resolved, That this convention recommend it to their constituents, to elect deputies in their respective counties, to meet at Danville on the second Monday of August next, to serve in convention, and to continue by adjournment till the first day of April next, to take further under their consideration the state of the district.

“ Resolved unanimously, That the election of deputies for the proposed convention, ought to be on the principles of equal representation.

“ Resolved, That the petition to the assembly for establishing this district into a state, and the several resolves of the former and present convention, upon which the petition is founded, together with all other matters relative to the interest of the district, that have been under their consideration, be referred to the future convention, that such further measures may be taken thereon, as they shall judge proper.

“ *To the Honorable the General Assembly of Virginia.*

“ THE petition of a convention of the inhabitants of the District of Kentucky, begun and held at Danville, in Lincoln county, on Monday, the twenty-third day of May, 1785 :

“ HUMBL Y SHEWETH,

“ That your petitioners having been deputed by the people, pursuant to the recommendation of a late convention, to take into consideration the propriety and expediency of making application to the legislature for having this district established into a separate state, to be

taken into union with the United States ; (as also the several grievances stated by that convention ; and to adopt such measures thereon, and whatever else might come before them, as should appear most conducive to its interest) are unanimously of opinion—that the remote situation of the district from the seat of government, together with sundry other inconveniences, subject the good people thereof to a number of grievances too pressing to be longer borne, and which cannot be remedied whilst the district continues a part of the state of Virginia ; conceiving it to be not only the privilege, but the duty of all men to seek happiness by entering into any form of civil society, not injurious to others, that they may judge most conducive to this great end : at the same time being anxiously desirous to cultivate the most perfect harmony with our brethren in the other parts of the state, and when we are under the necessity of being separated from the parent, whose fostering hand we gratefully acknowledge, has formerly been extended to our infant settlements ; wishing nothing more devoutly, than that her blessing may ever attend us : therefore we are induced to pray, that, agreeable to the provisional clause in the constitution, the district of Kentucky may be established into a separate and independent state, to be known by the name of the Commonwealth of Kentucky ; which we wish to take place under the following regulations, to wit :

“ That as soon as may be after the said state is established, a convention be authorised to assemble and adopt a constitution and form of government ; that the several

acts of assembly which may be in force at the time of separation, together with the common law of England, all statutes or acts of parliament, made in aid of the common law, prior to the fourth year of the reign of James the first, which are of a general nature, not local to that kingdom nor repealed nor altered by the legislature of Virginia, continue to be the rule of decision ; and be considered as in full force, so far as they are applicable to the district, until the same shall be altered by the legislative power of the commonwealth of Kentucky ; and that as soon as conveniently may be, after the district is established into a state, an equal number of commissioners from Virginia and the said state, be appointed and authorised to settle and adjust the proportion of the state debt to be paid by each ; and if the commissioners cannot agree, that the difference be referred to and settled by congress, as provided by the articles of confederation and perpetual union.

“ Finally, we hope and expect that our representatives will cheerfully grant a request justified by the principles of our government, as well as by the necessities of our condition ; and that by an act of separation we shall be placed in the situation best adapted for attaining the advantages of a free and well regulated government ; and that we shall likewise be recommended to congress to be taken into union with the United States of America, to enjoy equal privileges in common with them.

“ And your petitioners shall ever pray, &c.”

These resolutions, and this address to the legislature, clearly express the views and objects of the convention.

A separation from Virginia, and future connection, with the other states, as a member of the confederation.

Taking, no doubt the conduct of the American congress for its guide in this momentous business, which had been assimilated to the separation of the colonies, from their parent country ; the convention determined to proceed with great caution, and equal moderation. In this spirit of prudence, and humiliation, they recommend it to the people to choose other representatives, to meet in another convention, for the purpose of revising their proceedings ; and of taking such other measures as should be necessary to effect the proposed separation.

Upon this subject it is worthy of remark that the convention, whose proceedings are now under review, recognised and sanctioned by an *unanimous vote*, the principle of EQUAL REPRESENTATION BY NUMBERS, contrary to the constitution of Virginia, whose representation, was by counties, without regard to population.

This principle of equal representation by numbers, was recommended in theory, as essential in a form of government, which proclaimed an equality of rights, in all its citizens ; and in practice, by the example of several states, who had realised it ; although Virginia had not.

It has been doubted, by some able politicians, whether in reality the application of this equalising principle to numbers, has been attended with any perceptible advantage, over other forms of government, which give to pre-

wise districts, of unequal population, an equal representation.

It will appear in the measures of this convention, that the leaders of separation, deemed it important to have the people on their side ; while it will be learned from history, that the state of population, suggested, what the state of society demanded, “ an equal suffrage, and equal representation.” Had the convention possessed less political sagacity than it did ; an ordinary instinct would have led it to the same result, as to representation ; for if equality ever really existed in a civilized community, it was in Kentucky—where danger, the mode of living, and other circumstances common to all, had placed all, on the same level.

The convention having adopted this new principle of representation, proceeded to apportion the number of representatives to be chosen from each county, for the next convention.

No regular census had yet been taken, but by means of tythe lists, and muster-rolls, the number of the males in each county, could be ascertained with tolerable accuracy ; and these guided the apportionment. For the county of Jefferson six—for the county of Nelson six—for the county of Lincoln ten—for the county of Fayette eight, representatives were to be chosen, by the freemen of each county, on their respective court-days in the month of July ; to meet in convention at Danville on the second Monday in August succeeding.

The address to the legislature, was however not presented, as will hereafter be explained.

Lastly, the convention address the people of the district ; explaining to them, more at large than they had expressed to the legislature, the reasons which recommended, and the causes which urged the separation ; and which were very well calculated to render the measure popular. As this address contains historical details—and forms altogether an interesting representation of the internal and political state of the country, we shall also insert it at full length :—

“ To the inhabitants of the District of Kentucky.

“ FRIENDS AND FELLOW-CITIZENS,

“ WE your representatives, met in convention, in consequence of our appointment, beg leave to address you on a subject which we consider of the last importance to you, to ourselves, and to unborn posterity. In every case where it becomes necessary for one part of the community to separate from the other ; duty to Almighty God, and a decent respect to the opinions of mankind, require that the causes which impel them thereto, should be clearly and impartially set forth.

We hold it as a self-evident truth, that government is ordered for the ease and protection of the governed : and whenever these ends are not attained, by one form of government : it is the right, it is the duty of the people, to seek such other mode, as will be most likely to ensure to themselves and their posterity, those blessings to which by nature they are entitled.

“ In the course of our enquiries, we find that several laws have passed the legislature of Virginia, which, although of a general nature, yet in their operation are

particularly oppressive to the people of this district ; and we also find, that from our local situation, we are deprived of many benefits of government, which every citizen therein has a right to expect ; as a few facts will sufficiently demonstrate.

“ We have no power to call out the militia, our sure and only defence, to oppose the wicked machinations of the savages, unless in cases of actual invasion.

“ We can have no executive power in the district, either to enforce the execution of laws, or to grant pardons to objects of mercy ; because such a power would be inconsistent with the policy of government, and contrary to the present constitution.

“ We are ignorant of the laws that are passed until a long time after they are enacted ; and in many instances not until they have expired : by means whereof penalties may be inflicted for offences never designed, and delinquents escape the punishment due to their crimes.

“ We are subjected to prosecute suits in the High Court of Appeals at Richmond, under every disadvantage, for the want of evidence, want of friends, and want of money.”

“ Our money must necessarily be drawn from us, not only for the support of civil government, but by individuals, who are frequently under the necessity of attending on the same.

“ Nor is it possible for the inhabitants of this district, at so remote a distance from the seat of government, ever to derive equal benefits with the citizens in the eastern

parts of the state ; and this inconvenience must increase as our country becomes more populous.

“ Our commercial interests can never correspond with, or be regulated by theirs, and in case of any invasion, the state of Virginia can afford us no adequate protection, in comparison with the advantages we might, (if a separate state,) derive from the *federal union*.

“ On maturely considering truths of such great importance to every inhabitant of the district, with a firm persuasion that we were consulting the general good of our infant country, we have unanimously resolved, “ that it is expedient and necessary for this district to be separated from Virginia, and established into a sovereign independent state, to be known by the name of the “ commonwealth of Kentucky,” and taken into union with the United States of America.” In order to effect this purpose, we have agreed on a petition, to be presented to the legislature of Virginia, at their next session, praying that a separation may take place ; in which petition are fully set forth such terms as we thought beneficial to our infant country, and not inconsistent for Virginia to grant.

“ It is generally admitted that this district ought at some period not far distant, to be separated from the government of Virginia.

“ The only question then is, whether we are now of sufficient ability, either to fill the different offices of government, or to provide for its support ? In answer to the first part of this objection, examples have taught us, that sound principles and plain sense, suffice for every

laudable purpose of government ; and we generally find that the liberty of the subject and the laws of the land, are in the highest reverence, at the foundation and rise of states, before the morals of the people have been vitiated by wealth and licentiousness, and their understandings entangled in visionary refinements and chimerical distinctions : and as to the latter part, we have now in our power several valuable funds, which, if by *procrastination* we suffer to be exhausted, we shall be stripped of every resource but internal taxation, and that under every disadvantage : and therefore we do not hesitate to pronounce it as our opinion, that the present is preferable to any future period.

“ By an act of the last session of assembly, we find, that the revenue law is now fully and immediately to be in force within the district, so that we shall not only pay a very considerable part of the tax for supporting the civil government of the state but also be obliged to support our supreme court, and every other office we need in the district, at our own charge ; and we are of opinion, that the additional expence of the salaries to a governor, council, treasurer and delegates to congress, will for a number of years be more than saved out of the funds before alluded to, without any additional tax on the people.

“ To impress you still more with a sense of our regard to your interests, as a free people, we have determined not to proceed in a matter of such magnitude, without a repeated appeal to your opinions ; we have therefore recommended the election of another convention, to meet at Danville on the second Monday in August next, to

take further into consideration the state of the district, and the resolves of this and the preceding convention. In this election we hope you will be actuated by a serious sense of the important objects, which the proposed election is designed to promote."

Were we writing the history of the human mind, and speculating on the different views which the same man, or set of men, could take of the same objects, for different purposes, we should have matter for remark, by contrasting the two addresses of this convention. But as this is not important in our present view of the subject, it will be sufficient to observe that the address to the people which was soon promulgated, comprises a variety of topics, intended to affect their feelings, awaken their fears, and infuse into their minds disaffection towards the existing state of things: from the evils of which, they were taught to believe a separation only, could release them.

All revolutionists are sanguine, and no wonder that the promoters of separation partook of this disposition; since it may well be conceded that the situation of the country realised many serious evils, while the proposed change, promised many important ameliorations.

This convention knew the necessity of having the people with them, in order to effect a separation: Their new draftsman held a glowing pen; and hence the vividness apparent in the representation of the local situation of the district. Which partakes at least as much of oratory, as of history; and which seems to have been as well written to effect an impatience among the people

at their connection with Virginia, as the writer himself was anxious for the separation.

These observations will receive strong corroborations from the proceedings of the next convention. Which seemed to be anticipated with a common solicitude ; but various sentiments, by the people.

CHAPTER VI.

CONTENTS OF CHAPTER VI.

The convention of August 1785 elected, and assembled agreeably to recommendation—its proceedings—application to the general assembly for an act of separation—the act passed, and inserted. Another convention to be elected in August 1786, again to decide on the expediency of separation, in September—and provisionally to fix the period of separation.—Brief review of the proceedings of congress in relation to Indian affairs—notice of the several Indian treaties—Colonel William Christian pursues a party of Indians over the Ohio, and is killed—a biographical sketch of him.—New counties formed—their names, and description.

WE have seen it recommended to the people of Kentucky, by a former convention, to elect at the July courts of this year, the members of another convention, to meet in August. This recommendation was universally attended to, especially by those who were in favor of the separation. July arrived, and the elections were made. August arrived, and the members met at Danville. On

the eighth of the month they formed a convention ; and having organised themselves as usual, they proceeded to business.

A formal list of grievances, was now drawn up, and unanimously agreed to ; which is as follows, to wit :—

“ The convention, according to the order of the day, resolved itself into a committee of the whole on the state of the district, and after some time spent therein, Mr. President resumed the chair, and Mr. Muter reported that the committee had had under consideration the matters to them recommitted, and have made several amendments, which having read in his place, and afterwards delivered in at the clerk's table ; where the same were again read and agreed to, as follows, viz.

“ Your committee having maturely considered the important subject to them referred, are of opinion that the situation of this district, upwards of five hundred miles from the seat of the present government, with the intervention of a mountainous desert of two hundred miles passable only at particular seasons, and never without danger from hostile nations of savages, precludes every idea of a connection on republican principles, and originates many grievances ; among which we reckon the following :

“ 1st. It destroys every possibility of application to the supreme executive power, for support or protection in cases of emergency, and thereby *subjects the district to continued hostilities and depredations of the savages* ; relaxes the execution of the laws, delays justice, and tends to loosen and dissever the bonds of government,

“ 2nd. It suspends the operation of the benign influence of mercy, by subjecting condemned persons, who may be deemed worthy of pardon, to tedious, languishing and destructive imprisonment.

“ 3d. It renders difficult and precarious the exercise of the first and dearest right of freemen—adequate representation—as no person properly qualified, can be expected, at the hazard of his life, to undergo the fatigue of long journies, and to incur burthensome expenses, by devoting himself to the public service.

“ 4th. It subjects us to penalties and inflictions, which arise from ignorance of the laws, many of which have their operation, and expire, before they reach the district.

“ 5th. It renders a compliance with many of the duties required of sheriffs and clerks, impracticable ; and exposes those officers, under the present revenue law, to inevitable destruction.

“ 6th. It subjects the inhabitants to expensive and ruinous suits in the High Court of Appeals, and places the unfortunate poor, and men of mediocrity, completely in the power of the opulent.

“ Other grievances result from partial and retrospective laws, which are contrary to the fundamental principles of free government, and subversive of the inherent rights of freemen :—such are, 1st. the laws for the establishment and support of the district court, which, at the same time that we are subject to a general tax for the support of the civil list, and the erection of public buildings, oblige us to build our own court-house, jail and other buildings, by a special poll-tax imposed upon the inhabi-

rants of the district, and leaves several officers of the court without any certain provision.

“ 2nd. The law imposing a tax of five shillings per hundred acres, on lands previously sold, and directing the payment thereof into the registers office, at Richmond, before the patent shall issue : the same principles which sanctify this law, would authorise the legislature to impose five pounds per acre on lands previously sold by government on stipulated conditions, and for which an equivalent hath been paid ; and is equally subversive of justice as any of the statutes of the British parliament, that impelled the good people of America to arms.

“ 3d. General laws, partial and injurious in their operation : such are the laws, 1st.—concerning entries and surveys on the western waters. 2. Concerning the appointment of sheriffs. 3d. For punishing certain offences injurious to the tranquility of this commonwealth,—which last law prohibits, while we experience all the calamities which flow from the predatory incursions of hostile savages, from attempting any offensive operation : a savage, unrestrained by any law, human or divine, despoils our property, murders our fellow-citizens, then makes his escape to the north-west side of the Ohio, is protected by this law.

“ Whereas all men are born equally free and independent, and have certain natural, inherent and unalienable rights ; among which are the enjoying and defending life and liberty, acquiring, possessing and protecting property and pursuing and obtaining happiness and safety,

“ Resolved therefore, That it is the indispensable duty of this convention, as they regard the prosperity and happiness of their constituents, themselves and posterity, to make application to the general assembly, at the ensuing session, for an act to separate this district from the present government forever, on terms honorable to both and injurious to neither ; in order that it may enjoy all the advantages, privileges and immunities of a free, sov̄ereign and independent republic.

“ Unanimously agreed to by all the members present, whose names are hereto annexed ; Mr. Saml. M^cDowell, President, Mr. George Muter, Mr. Christopher Irvin, Mr. William Kennedy, Mr. Benjamin Logan, Mr. Caleb Wallace, Mr. Harry Innes, Mr. John Edwards, Mr. James Speed, Mr. James Wilkinson, Mr. James Garrard, Mr. Levi Todd, Mr. John Coburn, Mr. James Trotter, Mr. John Craig, Mr. Robert Patterson, Mr. Richard Terrell, Mr. George Wilson, Mr. Benjamin Sebastian, Mr. Philip Barbour, Mr. Isaac Cox, Mr. Isaac Morrison, Mr. Andrew Hynes, Mr. Mathew Walton, Mr. James Morrison, and Mr. James Rogers.”

The model of this document is to be found in the Declaration of American Independence. Nor does that detract from its merit.

The convention having laid as it supposed, the firm basis of a separation ; and thrown aside the former address to the Legislature, as too frigid, and insipid ; now proceeded to draft, and adopt one better agreeing with the improved feelings, and greater anxiety, of the new members, which the repeated agitations of the same topics had

excited in minds naturally ardent, and open to new views of their situation.

That we may hand down, with good faith, to posterity, the views which had been taken, the impression received, and the sentiments imbibed, and cherished, in relation to the local and political condition of the country, we shall insert this address at large :—

“ GENTLEMEN,

“ The subscribers resident in the counties of Jefferson, Fayette, Lincoln, and Nelson, composing the district of Kentucky, being chosen at free elections held in these counties respectively by the free men of the same; for the purpose of constituting a convention, to take into consideration, the general state of the district, and expressly to decide on the expediency of making application to your honorable body, for an act of separation—deeply impressed with the importance of the measure, and breathing the purest filial affection, beg leave to address you on the momentous occasion.

“ The settlers of this distant region, taught by the arrangements of Providence, and encouraged by the conditions of that solemn compact for which they paid the price of blood, to look forward to a separation from the eastern parts of the commonwealth; have viewed the subject leisurely at a distance, and examined it with caution on its near approach :—irreconcilable as has been their situation to a connexion with any community beyond the Apalachian mountains other than the federal union; manifold as have been the grievances flowing therefrom, which have grown with their growth,

and increased with their population ; they have patiently waited the hour of redress, nor even ventured to raise their voices in their own cause until youth quickening into manhood, hath given them vigor and stability.

“ To recite minutely the causes and reasoning which have directed, and will justify this address, would, we conceive, be a matter of impropriety at this juncture. It would be preposterous for us to enter upon the support of facts and consequences, which we presume are incontestible ; our sequestered situation from the seat of government, with the intervention of a mountainous desert of two hundred miles ; always dangerous, and passable only at particular seasons, precludes every idea of a connexion on republican principles. The patriots who formed our constitution, sensible of the impracticability of connecting permanently in a free government the extensive limits of the commonwealth, most wisely made provision for the act which we now solicit.

“ To that sacred record we appeal.—’Tis not the ill-directed or inconsiderate zeal of a few, ’tis not that impatience of power to which ambitious minds are prone ; nor yet the baser considerations of personal interest, which influences the people of Kentucky ; directed by superior motives, they are incapable of cherishing a wish unfounded in justice ; and are now impelled by expanding evils, and irremediable grievances, universally seen, felt and acknowledged, to obey the irresistible dictates of self-preservation, and seek for happiness by means honorable to themselves, honorable to you, and injurious to neither.

“ We therefore, with the consent, and by the authority of our constituents, after the most solemn deliberation, being warned of every consequence which can ensue, for them, for ourselves, and for posterity unborn—do pray that an act may pass at the ensuing session of assembly, declaring and acknowledging the sovereignty and independence of this district.

“ Having no object in view but the acquisition of that security and happiness which may be attained by scrupulous adherence to principles of private justice, and public honor: we should most willingly at this time enter into the adjustment of the concessions which are to be the condition of our separation, did not our relative situation forbid such negotiation, the separation we request being suggested by necessity and being consonant to every principle of reason and justice, we are persuaded will be cheerfully granted, and that we shall be as cheerfully received into the continental union on the recommendation of our parent state.

“ Our application may excite a new spectacle in the history and politics of mankind. A sovereign power solely intent to bless its people, agreeing to a dismemberment of its parts, in order to secure the happiness of the whole; and we fondly flatter ourselves, from motives not purely local, it is to give birth to that catalogue of great events which we persuade ourselves are to diffuse throughout the world, the inestimable blessings, which mankind may derive from the American revolution.

“ We firmly rely that the undiminished lustre of that spark which kindled the flame of liberty, and guided the

United States of America to peace and independence, will direct the honorable body to whom we appeal for redress of manifest grievances, to embrace the singular occasion reserved for them by divine providence, to originate a precedent which may liberalize the policy of nations, and lead to the emancipation of enslaved millions.

“In this address we have discarded the complimentary style of adulation and insincerity. It becomes freemen when speaking to freemen, to employ the plain, manly, unadorned language of independence, supported by conscious rectitude.”

In this address, we recognise the florid writer, and eloquent orator, General James Wilkinson. This gentleman had removed his family to Kentucky in the autumn of 1784, and was elected a member of the convention from the county of Fayette. If nature, education, and some knowledge of parliamentary proceedings gave him a decided advantage over the other members of this convention, he did not want vanity to perceive it, nor ambition to avail himself of a circumstance so much in his favor, and so convertible to his purposes.

In reviewing this address, the mind is unavoidably arrested by one idea which it suggests—“that the situation of the country was irreconcilable to a connexion with any community beyond the Apalachian mountains—other than the federal union.” The inference seems to be invited that a connexion on this side of those mountains, was not of so inflexible a nature.

But with whatever ease this course of reflection now occurs, the language of the address was undoubtedly intended to have no other effect at that time than to alarm Virginia, by the comparison ; and thereby to obtain with the greater certainty, her assent to the proposed separation.

The Chief Justice of the district, George Muter, and the Attorney General, Harry Innes, were chosen to present this address to the Legislature ; and to add their personal solicitation, as well as to give any verbal explanation, which might facilitate the passage of the much desired act.

The convention, had yet to address the people of the district—and this was done in the following terms:—

“ *To the Inhabitants of the District of Kentucky.*

“ FRIENDS AND COUNTRYMEN,

“ Your representatives in convention having completed the important business for which they were specially elected, feel it their duty before they rise, to call your attention to the calamities with which our country appears to be threatened—*blood has been spilt from the eastern to the western extremity of the district*, accounts have been given to the convention from Post St. Vincennes, which indicate a disposition in the savages for general war ; in the mean time if we look nearer home, we shall find our borders infested, and constant depredations committed on our property. Whatever may be the remote designs of the savages, these are causes sufficient to rouse our attention, that we may be prepared not only to defend but punish those who unprovoked offend

us. God and nature, have given us the power, and we shall stand condemned in the eyes of Heaven and mankind, if we do not employ it, to redress our wrongs and assert our rights,

“ The Indians are now reconnoitering our settlements in order that they may hereafter direct their attacks with more certain effect, and we seem patiently to await the stroke of the tomahawk ; strange indeed it is, that although we can hardly pass a spot, which does not remind us of the murder of a father, a brother, or deceased friend, we should take no single step for our own preservation : Have we forgot the surprise of Bryant’s or the shocking destruction of Kinchelo’s station, let us ask you? Ask yourselves, what there is to prevent a repetition of such barbarous scenes ? five hundred Indians might be conducted undiscovered, to our very thresholds, and the knife may be put to the throats of our sleeping wives and children. For shame—let us rouse from our lethargy, let us arm, associate and embody—let us call upon our officers to do their duty, and determine to hold in detestation and abhorrence, and to treat as enemies to the community, every person who shall withhold his countenance and support, of such measures as may be recommended for our common defence ;—let it be remembered that a stand must be made somewhere : not to support our present frontier would be the height of cruelty as well as folly ; for should it give way, those who now hug themselves in security, will take the front of danger, and we shall in a short time be huddled together in stations ; a situation in our present circumstances, scarcely prefer-

able to death—let us remember that supineness, and inaction may entice the enemy to general hostilities—whilst preparation and offensive movements will disconcert their plans, drive them from our borders, secure ourselves, and protect our property.

“ Therefore, *resolved*, that the convention in the name and behalf of the people, do call on the lieutenants, or commanding officers of the respective counties of this district, forthwith to carry into execution the law for regulating and disciplining the militia.

“ *Resolved*, That it be recommended to the officers to assemble in their respective counties, and concert such plans as they may deem expedient for the defence of our country, or for carrying expeditions against the hostile nations of Indians.”

This address is from the same pen as that to the Legislature. It may well be said to breathe the same spirit, in one grand point of view at least, that of persuading Virginia, that it was prudent, “to make a virtue of necessity,” and to grant with her best grace, what her worst fears might extort from her, at the muzzle of the rifle, and the edge of the tomahawk.

It is however believed that the real spirit of these papers was not felt or cherished, by many members of the convention. A separation of the Western, from the Eastern part of the state, on peaceable, and constitutional terms, occupied the mind, and filled, both the wish and expectation, of a great majority of the members. Nor can it be ascertained that at this time any other plan was formed. Most of the gentlemen foresaw that a

considerable length of time would unavoidably elapse before the event of separation could completely take place; and they knew that the country was every day ripening to its maturity. They were hence not opposed to the application, nor impatient of any necessary delay which prepared the country, for the assumption and exercise of independent government.

On the subject of Indian hostility, there was exaggeration. It was evident, from the events of the war, and the measures taken by Congress to bring about a general pacification with the different tribes, on the frontiers, that great relaxation had taken place in the frequency, and nature, of their depredations. The frontiers were sometimes alarmed, perhaps some lives might be lost in this summer, and no doubt horses were stolen. But the country had now grown strong, and felt restless under the pressure of circumstances, which a few years before were supported with patience, or changed with facility, by individual exertion. And to say the truth, it was not so much an apprehension of real danger, as the desire of rule, that impelled the leaders of separation, into, those inflated expressions, of injury, of apprehension, and of impatience.

We do not say this, to detract from the propriety of the application for an act of separation; because we really think that such application was proper: but to present a correct history of the times, which are perfectly within our own recollection.

It could but be obvious to every one who reflected on the local position, legal relations, and political circum-

stances, of the country, as connected with the residue of Virginia, that a separation of the parts ought to take place, so soon as the population could conveniently sustain the burthens of government; and the people be brought to think the change expedient. The government of Virginia had manifested no hostility to the measure; nor was there in Kentucky much diversity of opinion; except as to the time. But it is a fact, that however unanimous the convention might be, the people were much divided in opinion as to the time when a separation, and a new government, would be proper, and could be sustained with convenience.

Some indeed, there were who were opposed to the measure, as being unnecessary, dangerous, and inexpedient, upon general principles of policy; or particular considerations of personal and local interests, connected with the safety, of property, which had not escaped open menace.

Certain characters had embraced with great ardour the idea of a separation, who were well-aware of the necessity of having the people with them, in order to succeed. Hence the frequency of declamation, against the hardships, restraints, and oppressions, imposed on Kentucky, by Virginia.

She was about to enforce the general laws, for the collection of revenue. This has always been a copious subject for popular demagogues. She had not environed the frontiers, with a cordon of troops, nor raised a wall to defend them from the Indians: No subject could touch more immediately, the sensibilities of the multitude.

She had not even delegated, the executive power of the commonwealth, to the local authorities of Kentucky.

And although this subject might not suit as well, as some others for popular declamation, there was no other, more sensibly felt, or which caused more intemperance. She had passed a law to compel surveys on previous entries—she had imposed a tax on the emination of grants for land—and she actually derived revenue from the registering fees, on surveys. Nay, she had been so illiberal as to listen, to representations of an existing disposition in some of the Kentucky people, to keep up hostilities with the Indians, by repeated and public threats of violence against them, whether in peace, or war. And she had gone so far as to indicate a wish to avoid hostility, by restraining aggressions.

Those who were anxious for the separation delighted to dwell upon these topics; and no astonishment should be felt, if they sometimes carried their representations beyond the plain and simple matter of fact, into the regions of imagination, and the fields of oratory.

Nor is it difficult to explain how these different views come to be taken of the same subjects by the convention, and the historian. The former represents objects as seen by the optics of a politician, anxious to effect a particular result. The latter presents them, as one calmly reviewing a scene in which he was but a spectator.

Besides, the magic of composition is beyond the conception of those who have not attended minutely to its effects. Who was there in the convention that could contradict any statement of fact in the address to the

people ? For what facts were stated ? And as to the colouring, that belonged to the art of the painter, and glowing, as it was, the subject would bear its most vivid tints.

Was there ever language which reprobated in terms too strong, or too animated, the conduct of a government which exacted taxes from the people when those people composed the audience, and were to pronounce the sentence ? Was there ever an orator, who represented in language too ardent and figurative, the sad condition of a people exposed to an enemy whom they were forbidden to exterminate ? Was there ever a pen which delineated with more than sufficient energy, and display of dramatic effect, the state of a country, from which any thing was required, while every thing was not conceded ? In fine, who could complain in tones too loud, or in strains too pathetic, to a people, who were taught to complain of their condition, as the sure means of obtaining a better ?

Again, who in the convention could have imbibed so little of the patriotic feeling of the rhetorician as to rise, and propose that the address, should be paired down to the standard of sober narrative, and simple matter of fact ? Who was not pleased, and transported, that the oppressed rights of humanity, had found an advocate so worthy of their cause ? Who, in one word, was not enchanted, by a style so brilliant, so glowing, so patriotic, as that in which the interesting subjects, of this address were portrayed ? There was not one.

There is a fascination, an enthusiasm, on these occasions to which honest men, even think it a virtue to yield; and to oppose, or impair which, would at such times be thought treason, or sacrilege.

We are therefore not to be surprised if politicians engrossed by their schemes, orators enraptured by the warmth of their passions, or writers, heated by the fervor with which their favorite objects are pursued, on the one hand, and the sober historian who reviews the same transactions, or who describes the same state of things, on the other, should not always see with the same eyes, or give to the same subjects, the same coloring, of light, and shade.

Copies of the address to the people were industriously multiplied, and circulated among them. That to the General Assembly was in due time presented.

In October of this year, M'Clure and others, were defeated near the head of Skeggs's-creek, coming into Kentucky with families. The Indians attacked the camp, and killed six of the company.

Mrs. M'Clure ran into the woods with her four children, and would have made her escape, but the young one screamed, and gave notice to the savages—they found her, and immediately killed her three eldest children, & made her, with the other in her arms, prisoners; the rest of the party escaped, by means of the night. The Indians took her back to the camp, and made her cook for them. In the morning they mounted her on an unbroke horse, and compelled her to accompany them on their return home.

Intelligence of this sad catastrophe being brought to Captain William Whitley's station, and he being from home, Mrs. Whitley dispatched a messenger for him, and others to collect his company. On his return, he found twenty-one men waiting for him; these, says he, "were as true as steel." With these he directed his course to the war path, intending to intercept the Indians returning home. Fortunately they had stopped to divide the plunder, they had taken, and Capt. Whitley, struck the path a short distance a head of them. He observed they had not passed, & prepared for their arrival. His men were placed in an advantageous position; nor had they waited long before the Indians appeared, dressed in their spoils. At the proper distance, he surprised them by a fire, which killed two, wounded two, & dispersed the rest; he recovered Mrs. M'Clure, and a negroe woman; and retook six scalps, which the savages had taken at the camp.

In the various affairs with the Indians, which we have had occasion to notice, there has not appeared any one, with more circumstances of interest, or conducted with more spirit and judgment.

Ten days after this event, a Mr. Moore, and his party were defeated two, or three miles from Raccoon-creek, on the wilderness road.

In this attack the Indians killed nine persons and dispersed the rest. Upon the receipt of this news, Captain Whitley raised thirty men, and aiming to intercept the enemy on their return, had passed all the trails but one, when on the sixth day, in a cane-brake, his party met

the Indians, within ten steps, before either discovered the other. Captain Whitley immediately called ten of his men by name, to take the right, as many more to take the left; the other ten were ordered, to dismount in front with him. There were twenty Indians well dressed in their plundered clothes, and mounted on good horses.

The Indians immediately on making the discovery of Captain Whitley, abandoned their horses and took to flight on foot. They were pursued, and three of them killed—two by Captain Whitley, who scalped one of them. He recovered eight, of the nine, scalps, which they had previously taken—and retook from them a rich booty, consisting of twenty-eight horses, fifty pounds in cash; and a quantity of clothes, and household furniture, which they had plundered; with this he returned.

In November, another party of Indians killed two of the Sloans, on the Rolling-Fork, of Salt River.

In January 1786, the act passed, in favor of the proposed separation. It is in the following words:—

“ An act concerning the erection of the district of Kentucky into an independent State.

“Whereas it is represented to be the desire of the good people inhabiting the district known by the name of the Kentucky District, that the same should be separated from this Commonwealth whereof it is a part, and be formed into an independent member of the American confederacy, and it is judged by the General Assembly that such a partition of the Commonwealth, is rendered expedient by the remoteness of the more fertile, which must be the more populous part of the said district, and

by the interjacent natural impediments to a convenient and regular communication therewith :

“ Be it enacted by the general assembly, That in the month of August next, on the respective court days of the counties within the said district, and at the respective places of holding courts therein, representatives to continue in appointment for one year, and to compose a convention, with the powers, and for the purposes hereinafter mentioned, shall be elected by the free male inhabitants of each county, in like manner as delegates to the general assembly have been elected within the said district, in the proportions following: In the county of Jefferson shall be elected five representatives, in the county of Nelson five representatives, in the county of Fayette five representatives, in the county of Bourbon five representatives, in the county of Lincoln five representatives, in the county of Madison five representatives, and in the county of Mercer five representatives. That full opportunity may be given to the good people, of exercising their right of suffrage, on an occasion, so interesting to them, each of the officers holding such elections, shall continue the same from day to day, passing over Sunday, for five days, including the first day, shall cause this act to be read on each day, immediately preceding the opening of the election, at the door of the court-house, or other convenient place, and shall fix up two copies at least of this act, in the most public situations at the place of election, twenty days before the commencement thereof. Each of the said officers shall deliver to each person duly elected a representative, a

certificate of his election, and shall moreover transmit a general return to the clerk of the supreme court of the district, to be by him laid before the convention. For every neglect of any of the duties hereby enjoined on such officer, he shall forfeit one hundred pounds, to be recovered by action of debt, by any person suing for the same. The said convention shall be held at Danville, on the 4th Monday of September, and as soon as two thirds of the representatives shall be convened, they shall and may proceed, after choosing a president and other proper officers, and settling the proper rules of proceeding, to consider, and by a majority of voices to determine, whether it be expedient for, and be the will of the good people of the said district, that the same be erected into an independent state, on the terms and conditions following :

“ *First.* That the boundary between the proposed state and the state of Virginia, shall remain the same as at present separates the district from the residue of the commonwealth.

“ *Second.* That the proposed state shall take upon itself a just proportion of the public debt of this commonwealth.

“ *Third.* That all private rights and interests in lands within the said district, derived from the laws of Virginia prior to such separation, shall remain valid and secure under the laws of the proposed state, and shall be determined by the laws now existing in this state.

“ *Fourth.* That the lands within the proposed state of non-resident proprietors, shall not in any case be taxed

higher than the lands of residents at any time prior to the admission of the proposed state to a vote by its delegates in congress, where such non-residents reside out of the United States ; nor at any time either before or after such admission, where such non-residents reside within this commonwealth, within which this stipulation shall be reciprocal ; or where such non-residents reside within any other of the United States, which shall declare the same to be reciprocal within its limits ; nor shall a neglect of cultivation or improvement of any land within either the proposed state or this commonwealth, belonging to non-residents, citizens of the other, subject such non-residents to forfeiture or other penalty, within the term of six years after the admission of the said state into the Federal Union.

“ *Fifth.* That no grant of land, nor land warrant to be issued by the proposed state, shall interfere with any warrant heretofore issued from the land office of Virginia, which shall be located on land within the said district now liable thereto, on or before the first day of September, one thousand seven hundred and eighty-eight.

“ *Sixth.* That the unlocated lands within the said district, which stand appropriated by the laws of this commonwealth to individuals or descriptions of individuals, for military or other services, shall be exempt from the disposition of the proposed state, and shall remain subject to be disposed of by the commonwealth of Virginia, according to such appropriation, until the first day of September, one thousand seven hundred and eighty-eight, and no longer ; and thereafter the residue of all

lands remaining within the limits of the said district, shall be subject to the disposition of the proposed state.

“*Seventb.* That the use and navigation of the river Ohio, so far as the territory of the proposed state, or the territory which shall remain within the limits of this commonwealth, lies thereon, shall be free and common to citizens of the United States, and the respective jurisdictions of this commonwealth, and of the proposed state, on the river as aforesaid, shall be concurrent only with the states which may possess the opposite shores of the said river.

“*Eighth.* That in case any complaint or dispute shall at any time arise between the commonwealth of Virginia and the said district, after it shall be an independent state, concerning the meaning or execution of the foregoing articles, the same shall be determined by six commissioners, of whom two shall be chosen by each of the parties, and the remainder by the commissioners so first appointed.

“*And be it further enacted,* That if the said convention shall approve of an erection of the said district into an independent state, on the foregoing terms and conditions, they shall and may proceed to fix a day, *posterior* to the first day of September, one thousand seven hundred and eighty-seven, on which the authority of this commonwealth, and of its laws, under the exceptions aforesaid, shall cease and determine forever, over the proposed state, and the said articles become a solemn compact, mutually binding on the parties, and unalterable by either without the consent of the other. *Provided how-*

over, That prior to the first day of June, one thousand seven hundred and eighty-seven, the United States in congress, shall assent to the erection of the said district into an independent state, shall release this commonwealth from all its federal obligations arising from the said district, as being part thereof; and shall agree that the proposed state shall immediately after the day to be fixed as aforesaid, posterior to the first day of September, one thousand seven hundred and eighty-seven, or at some convenient time future thereto, be admitted into the Federal Union. And to the end that no period of anarchy may happen to the good people of the proposed state, it is to be understood that the said convention shall have authority to take the necessary provisional measures for the election and meeting of a convention at some time prior to the day fixed for the determination of the authority of this commonwealth, and of its laws, over the said district, and posterior to the first day of June, one thousand seven hundred and eighty-seven, aforesaid, with full power and authority to frame and establish a fundamental constitution of government for the proposed state, and to declare what laws shall be in force therein, until the same shall be abrogated or altered by the legislative authority, acting under the constitution, so to be framed and established.

“ This act shall be transmitted by the executive to the delegates representing this commonwealth in Congress, who are hereby instructed to use their endeavors to obtain from congress a speedy act to the effect above specified.”

To the passage of this act, there was in reality no serious objection on the part of Virginia. She had foreseen that such an event was to take place, in the progressive settlements of her territory to the west : and she had prudently provided for it in her constitution of government.

It was already apprehended that inconveniences began to be felt in the legislature, from the Kentucky representation.

In general, the members were men of circumscribed political, and moral views ; confined in their legislative attention to local objects ; and ready to throw themselves on all occasions upon the side of that partizan, who favored their particular topical pretensions. They were moreover for ever asking for some new indulgence to land claimants, and clamorous, if they did not obtain all they asked.

These dispositions becoming more obvious before the separation actually took place, were by some men of reflection seen, felt, and regretted, as serious evils in the state legislature.

The year had been ushered in amidst popular discussions on the subject of separation ; nor were they allayed by the arrival of the act on that subject ; which we have already given in detail.

By acts passed at the same session, three new counties were to take place in time to be represented in the next convention. In the mean time—

Considering the acts of congress in relation to Indian affairs, as having an influence more, or less direct, on

the interests of Kentucky ; and hence proper to be noticed in her history ; we shall take occasion at this place to insert a brief sketch of those acts. The tardy deliberations, and slow resolves of that honorable body, after preliminaries of peace, will form a striking, if not an agreeable contrast, with the ardor and promptitude of the Kentucky conventions.

On the first of May 1783, congress resolved that the Secretary at War take the most effectual measures, to inform the several Indian nations on the frontiers of the United States that preliminary articles of peace have been agreed on ; that hostilities have ceased with Great-Britain ; that the British forts within the United States are soon to be given up ; that the United States are disposed to enter into friendly treaties with them ; and that unless they cease hostilities, and accede to these friendly offers of peace, congress will take the most decided measures to compel a compliance. But what was congress ? Dependent on the states, for power, for efficiency—for existence. Prolific in resolves, but barren in execution.

On the 15th of October following, among other things relative to Indians, Congress state that it is represented, and believed, “ that although the hostile tribes of Indians in the northern and middle departments are seriously disposed to a pacification, yet they are not in a temper to relinquish their territorial claims without a further struggle.”

And on the same day they resolve “ that a convention be held with the Indians residing in the northern and

middle departments, who have taken up arms against the United States, for the purpose of receiving them into the favor, and protection of the United States, and of establishing boundary lines of property, for separating and dividing the settlements of the citizens, from the Indian villages, and hunting grounds, and thereby extinguishing as far as possible all occasion for future animosities, disquiet, and contention."

On the 30th of October, it is resolved, that the commissioners for holding the convention with the Indians under the act of the 15th instant, give notice to the supreme executive of Pennsylvania, who wanted to make a purchase of their land.

March the 3d, 1784, " Congress proceeded to the consideration of Indian affairs ;" and decided that the next day, five commissioners should be elected, to negotiate with the Indians. Accordingly George Rogers Clark, Oliver Wolcott, Nathaniel Green, Richard Butler, and Stephen Higginson, were elected. All former appointments, if any, were revoked.

The president of congress was desired to inform the gentlemen of their election, and that it was the wish of congress they should lose no time in effecting the objects of their mission. The 10th of April was appointed for their meeting, at New-York ; and they were enjoined to inform the Indians when and where they might be met, and to invite their attendance.

On the 8th of the month congress dispute, without agreement, about the compensation to the commissioners ; and on the 12th, agree to the form of a commission for

them. The 19th, it is agreed that the commissioners shall receive six dollars and fifty cents per day—that 15,000 dollars worth of merchandise be purchased for the disposition of the commissioners ; who were authorised to appoint an agent to receive, and account for the goods. The superintendant of finance was ordered to furnish the money. And the commissioners to make and transmit to congress estimates of such other goods as might be necessary.

All this time congress seem not to have thought of providing escorts, or guards for the commissioners.

The 24th of April Benjamin Lincoln, and Arthur Lee, were appointed commissioners, in the place of Mr. Higginson, and Mr. Green, who had declined accepting their appointments.

May the 18th, it was thought expedient to have an armed force, with the commissioners to treat with the Indians ; and an attempt was made by Mr. Lee, to obtain an order to the Secretary of War, for 300 men, which failed.

A proposition was made on the 25th of May, to enlist 450 men, to be employed for the defence of the north-western frontier. This motion was superceded by one to engage as soon as possible, to serve for the term of three years, unless sooner discharged, 896 men, including non-commissioned officers, for the defence of the north-western frontiers of the United States.

This proposition being lost ; on the 26th, a motion was made, repeating in substance the foregoing, with this expletive, “ to give protection to the commission-

ers appointed to negotiate treaties of peace with the Indians." And with this further idea, "that the several states furnish their quotas, &c."

Upon this latter subject Mr. Gerry, introduces a learned disquisition to shew that standing armies were dangerous in times of peace, that it was doubtful whether congress could make a requisition on the states for their several quotas—that it was expedient to consult the states on the subject—and that instead of requisition, it be *recommended* to the states, to raise the troops which might be immediately necessary. And all, this fine preparation was lost.

After this result, some other modifications of the subject were attempted; which also failed; and for that time the subject fell, as before, through the interference of Mr. Gerry.

The 1st of June, congress was moved that General Knox be instructed to order 350 men, properly officered, to march immediately, to be ready to take possession of the western posts as soon as evacuated by the troops of his Britannic majesty. That 700 men be raised, for the term of three years, unless sooner discharged, for the relief of the 300, for the protection of the western frontiers, and to guard the public stores. And that the several states furnish their quotas.

To this proposition, Mr. Gerry moves by way of amendment, that New-Hampshire, and Massachusetts, should be exonerated, from its operation. A debate ensued, which after several attempts at modification, ter-

minated in the resolution—"that the commanding officer be directed to discharge the troops, now in the service of the United States, except 25 privates, to guard the stores at West-Point, and other magazines."

The 3d of the month, a proposition of a new aspect was made, for 700 militia to be raised, from the states of Connecticut, New-York, and Pennsylvania; to serve for twelve months, subject to the orders of the Secretary at War, and of congress: "for the purpose of protecting the north-western frontiers of the United States, and their Indian friends and allies; and for garrisoning the posts, soon to be evacuated by the troops of his Britannic majesty."

After various debate it was finally *resolved*, that it be *recommended*, to the states, most convenient, to furnish forthwith from their militia 700 men; to serve twelve months, unless sooner discharged, in the following proportions: Connecticut, 165—New-York, 165—New-Jersey, 110—and Pennsylvania 260. And further it was *resolved*, that the Secretary in the war office be directed to order 300 men of the militia, to be raised by the foregoing resolution to be in readiness, to march when, and to what place, or places, the commissioners for negotiating with the Indians, or any two of them, may require.

It was also *resolved* on the same day, that stores and rations should be placed at the disposition of the commissioners, for the purposes of the intended negotiation.

On the 10th of July, Congress, resolve to answer a

letter which they had received from General G. R. Clark; and that measures be taken to assemble the Indians at such time and place as the commissioners may appoint. And that the Indians be assured, “ the United States, will not in the mean time undertake any thing to their disadvantage; unless provoked thereto by hostilities on their part.”

July the 26th “ on motion *ordered* that an exemplification of the commission granted by the United States in Congress assembled, to the commissioners for negotiating with the Indians, and of the resolution empowering any two of them, being a majority of those present, to do the business of the commission, be made out and delivered to each of the said commissioners, under the seal of the United States.”

At Fort Stanwix on the 27th of October 1784, the commissioners of the U. States, Oliver Wolcott, Richard Butler, and Arthur Lee, entered into, and concluded a Treaty of *peace*, and *friendship*, with the Sachems and warriors of the six nations.

And at Fort M^lIntosh, the 21st of January 1785, George R. Clark with the two last named commissioners on the part of the United States, concluded a treaty of *peace* and *friendship*, with the Sachems and warriors of the Wiandot, Delaware, Chippawa, and Ottawa, nations of Indians.

In 1785, March the 15th, congress *resolve*, that three commissioners with the same pay, as is allowed to the commissioners for treating with the northern Indians, be appointed to treat with the Cherokees, and all other

Indians southward of them within the limits of the United States, or who have been at war with them, for the purpose of making peace with them, receiving them into the favor and protection of the United States, and removing as far as may be, all causes of future contention or quarrels.”

“ That they be instructed to inform the Indians of the great occurrences of the last war, and of the extent of country relinquished by Great-Britain.”

“ That the commissioners inform the Executives of Virginia, North-Carolina, South-Carolina, and Georgia, &c.”

That they apply to these states for 150 militia, or such part thereof as they may deem necessary, for their protection while concluding the treaty—and that they be authorised to draw on those states, for 9,000 dollars, to discharge expenses : and that said states have credit for the sum advanced.

March the 21st, Benjamin Hawkins, Daniel Carroll, William Perry, Andrew Pickins, and Joseph Martin, were appointed commissioners, for treating with the southern Indians. On the same day it was resolved “that the secretary in the war-office take order for discharging such of the troops, raised in pursuance of the resolution of June the 3d, 1784, as are not in actual service.”

And to give greater security to the frontier settlements, and to establish a boundary line between the United States and the Pottawatamies, the Twightwees, Pean-kashaws, and other western nations, congress resolved

also, that a treaty be held with the said Indians at Post Vincent, on the Wabash, on the 20th of June 1785, or at such other time, or place, as the commissioners may find more convenient. And at the same time provision is made in the same inexhaustible resource of *resolve*, to furnish rations, and pay, for the proposed treaty.

The 24th of March it was *ordered*, “ that the secretary of congress inform the commissioners who are appointed to negotiate a peace with the southern Indians, that it is the pleasure of congress, that they meet at Charlestown, South-Carolina on the 16th of May, and there fix on the time and place for holding a treaty or treaties, with the southern Indians—take the proper steps for giving due notice thereof to the several nations or tribes concerned, and make the necessary preparations for executing the further duties of the commission with all possible and convenient dispatch.”

On June the 14th, Congress again take up the subject of the treaty to be held at Post Vincent, and take sundry measures to facilitate its accomplishment ; and to enlarge the powers of the commissioners in relation to the citizens of the country, at, and about the Post, requiring from them an oath of allegiance ; and prohibiting the settlement of all persons on the unappropriated land ; which it is announced will be sold, as soon as it can be surveyed.

The commissioners for negotiating with the Indians, are on the 29th of the month, authorised to hold the proposed treaty, at the Falls of Ohio, or at the mouth of the Great Miami. And troops are ordered for their protec-

tion. It is recommended to the state of Virginia to furnish 150 men from the counties most contiguous, that is Kentucky, to protect all persons attending the treaty.

The 9th of August, Mr. Robert Howe was chosen a commissioner to treat with the Indians, in the place of Arthur Lee, appointed to the treasury.

September the 12th, congress *resolve*, to guard against any failure on the part of the southern states to furnish the money required for the treaty, that the commissioners are authorised to draw on the Board of Treasury, for such ballance as it may not be in the power of the Executives of the states to furnish, for the objects of the negotiation.

Samuel Holden Parsons, was elected a commissioner, on the 21st of September, to treat with the western Indians, in the place of Benjamin Lincoln resigned.

The 28th of November in this year the commissioners on the part of the United States, Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachan M'Intosh, concluded a treaty of *peace and friendship*, with the head men and warriors of the Cherokees, at Hopewell, on the Keowee. Treaty, now succeeded treaty, in rapid succession.

The commissioners for the southern department had called the Indians of the different tribes within their jurisdiction to Hopewell ; nor were they more ready to bestow, than the Indians to receive their presents, and wampum.

On the 3d of January, 1786, a treaty was concluded, between the commissioners, stiling themselves plenipo-

tentiaries, and the *plenipotentiaries* of the Choctaw nation of Indians ; for the purpose of *peace* and *friendship*.

At the same place, and for the same important objects of peace and friendship, a treaty was concluded on the 10th of January, 1786, between the same commissioners, and the first ministers and beloved men of the Chickasaws.

And to complete the circle, a treaty of peace and friendship, was signed at the mouth of the Great Miami, the 31st of January 1786, between the plenipotentiaries of the United States and the chiefs and warriors of the Shawanee nation of Indians. Annexed to this treaty, are also the signatures of several Wiandot, and Delaware warriors.

The particular articles of these treaties are unimportant to this history ; as *peace*, was the only matter of concern to our country. There is one characteristic of them, which was disagreeable to the Indians at the time ; and afterwards became the growing cause of uneasiness, and ultimately of remonstrance ; the Indians are not acknowledged independent, but treated in the stile of inferiors.

An almost invariable article in them is “ the United States give peace to the Indians,” on conditions.

It would have been fortunate for the U. States, and Kentucky particularly, if the Indians would have given them peace on any conditions, stipulated by treaty. It is to be confessed that there was considerable abatement in their hostility, in the year 1784, and 1785 ; also in 1786, for sometime after the conclusion of these treaties.

Nor is it to be dissembled, that parties of white men traversing the country on both sides of the Ohio, seldom permitted a party of Indians to escape them without molestation. And hence it followed that individuals were at war, while the government were at peace. No doubt congress saw in the several treaties made by its agents, the entire success of its pacific policy towards the Indians —nor is it matter of surprise, that complaints against the Indians, or calls for aid, and for defence against their aggressions, should be heard by that body, with impatience, or suspicion.

The detail which we have given of the proceedings on Indian affairs, shews but too clearly, the alarming defect of powers; and the difficulty experienced, in effecting objects of national concern, by the confederated states.

An attentive and impartial review of this detail alone, will necessarily induce an abatement, in that temper of restlessness and complaint, which Kentuckians, feeling the effects, without knowing the cause, have often shewn at the apparent insensibility, and tardiness of congress, in relation to the interests of the western country.

We however leave these reflections to be pursued by others, and return to our narrative of those occurrences, and events, of which history is the appropriate repository. And which, should they afford no more amusement than our sketch of congressional proceedings, will by collecting, and bringing into view, a series of facts, afford to the inquisitive, and reflecting mind, the means of useful knowledge, which is the great object of history.

In the month of April in this year, the Indians, as they had done before, stole horses on Beargrass, with which they crossed the Ohio as usual, thereby expecting to escape pursuit. But Colonel William Christian, having raised a party of men, crossed the same, on the tenth, determined that the Indians should no longer evade his pursuit by flying to their own forests. About twenty miles from the river, the Indians were overtaken, attacked, and totally destroyed; with the loss to Kentucky, of two men only; but unfortunately Colonel Christian was one of those, who fell.

In the death of Colonel Christian, Kentucky experienced a most sensible, and important loss.

He had migrated from Virginia the preceding year; and settled his family on Beargrass. He was a man of activity, intelligence, and enterprise.

From the death of Colonel John Floyd, which took place in 1783, in consequence of a wound from the gun of an Indian, that part of Kentucky had wanted such a man as Colonel Christian.

He had been used to the Indians, from an early period of his life, had distinguished himself as an officer; had acquired much useful information; and possessed the manners and accomplishments of a gentleman.

He was a Virginian by birth; and received his education in Staunton.

He was appointed a Captain in Colonel Bird's regiment, which was ordered in the time of Braddock's war, to the south-western frontier of his parent colony. In this service he obtained the reputation of a brave, active, and

skillful, partizan. After this he married the sister of Patrick Henry, settled in the county of Botetourt, and was made a Colonel in the militia.

In 1774, he raised a party of about 300 men, with whom he joined the army under the command of Colonel Andrew Lewis at the mouth of the great Canhawa, on the night after the battle, at the Point: Having performed an extraordinary march to assist in the action. With Colonel Lewis he crossed the Ohio, joined Dunmore, and was at the treaty with the Indians.

He was a member of the general convention in 1775. In 1776 he was appointed Lieutenant-colonel to the first Virginia regiment, and upon the resignation of the Colonel, in the same year he was promoted, to that rank.

The Cherokee Indians, having commenced hostilities in this year, Colonel Christian was ordered by the Executive, to that frontier, to take the command of an expedition against them. His army was about twelve hundred men; this he conducted with propriety, and singular address. In consequence of which the enemy sent a flag of truce to him, and peace was made without fighting. Colonel Christian now returned to his home; and soon after, the Tories in the mountains, an ignorant and devoted class of people, manifesting an adherence to the British crown, in opposition to the measures of the United States, he found it necessary to suppress them, and resigned his regiment, to head the patriotic militia of his county. He continued a vigilant, and active citizen during the war. By his influence and example, an ex-

tensive section of the country on New River, was kept in subordination to the state authority; but not without the exercise of martial law, upon occasions of insurrection. He was repeatedly elected a member to the Legislature from his county.

During this time Colonel Christian had obtained a high reputation for his acquirements, and knowledge, both civil and military.

In 1785, he removed his family to Kentucky, and settled on his own land, in Jefferson county. About forty-two years of age, he felt all his former activity of disposition, all his former attention to the safety of the country—and participated, in the active means of repelling the predatory parties of Indians, who infested his neighborhood.

The ideas of separation, and of independent government, having been familiarised in Kentucky, Colonel Christian was frequently spoken of by the people as the first Governor, of the new commonwealth.

The event of his death in 1786, terminated these expectations, so agreeable to the public, so honorable to himself. If there was any man in Kentucky who did not regret his death, it was General Wilkinson, who already imagined he saw in him a rival in public favor.

All that part of Fayette county, which lay “within a line beginning at the mouth of Upper Howard’s Creek on Kentucky River, running up the main fork thereof to the head; thence with the dividing ridge between Kentucky and Licking, until it comes opposite to Eagle-Creek; from thence a direct line to the nearest part of

Raven Creek, a branch of Licking, down Raven Creek, to the mouth thereof; thence with Licking to the Ohio; thence with the Ohio to the mouth of Sandy Creek, up Sandy Creek to the Cumberland Mountain; thence with the said mountain to the line of Lincoln county; thence with that line, and the Kentucky River to the beginning"—was on the first of May in this year, erected into the county of BOURBON.

So much of Lincoln county as was included "within a line beginning at the confluence of Sugar Creek and Kentucky River, thence a direct line to the mouth of Clark's Run, thence a straight line to Wilson's Station in the fork of Clark's Run; thence the same course continued to the line of Nelson county; thence with the said line to the line of Jefferson county; thence with that line to the Kentucky River; thence up the said river to the beginning": was on the first day of August in this year set a-part as a new county by the name of MERCER COUNTY.

And such other part of Lincoln county as lay within lines, "beginning at the confluence of Kentucky, and Sugar Creek; thence up said creek to the fork that James Thompson lives on; thence up the said fork to the head thereof; thence a straight line to where an east course from John Ellis's will intersect the ridge that divides the waters of Paint Lick, from the waters of Dick's River; thence along the top of the said ridge southwardly opposite to Hickman's Lick; thence south forty-five degrees east to the main Rockcastle River; thence up the said river to the head thereof; thence with

the ridge that divides the waters of Kentucky River, from the waters of Cumberland River to the line of Washington county; thence along the said line to the main fork of Kentucky River, that divides the county of Fayette, from the county of Lincoln; thence down the said river to the beginning:" was on the same first of August, established the county of MADISON.

The organization of these counties—discussions of the act of separation—the qualifications of new candidates—and rumors about the Indians—occupied the latter part of the vernal, and beginning of the summer, season.

CHAPTER VII.

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The Convention of 1786 composed of five members from each county—General Wilkinson, addresses the people in Lexington on the day of election—is opposed—incidents of the debate—electioneering manoeuvres, and result of the election.—Characteristic sketches of General Wilkinson.—General Clark's expedition, its failure and cause.—Colo. Ben. Logan's expedition against the Shawanees.—No convention in September—the cause—incidents of Indian hostility.—Convention meet in January 1787—the act of Separation revised—and convention dissolved—proceedings on the subject of the Mississippi history of the case—proceedings of congress—and Executive, as to the Indians.—“ Kentucky Gazette” published.—meeting, and proceedings of the convention of 1787—introductory sketches of John Brown—his appointment to congress.—An estimate of the injury by Indians—Close of the year 1787.

THE legislature not influenced by the new principles, adopted by the late convention, adhered to a repre-

sentation by counties ; assigning to each county five representatives ; making in all, thirty-five representatives, for the convention of 1786.

The people very peaceably conformed themselves to either mode, as they were required by the convention, or by the legislature. The contents of the act of separation, were not in all respects relished by the popular leaders of the day.

Complaints were made of the delay introduced, by again submitting the question of *expediency*, to be decided, after so many previous expressions of the public sentiment. Some of the terms were thought inexpedient—and considerable dissatisfaction and impatience, were expressed, and diffused by several of the leading members of the last convention ; but by none more than by General Wilkinson. He declared that the circumstances of the country would not admit of the delay ; and that throwing off the authority of Virginia, the people would meet with no obstacle to their wishes of attaining independent government, and the means of taking care of themselves. Which he suggested was essential to their safety, and prosperity ; and without which they were not only exposed to the invasion of the savages, whom they were forbidden to invade, but that they were also exposed to a variety of unjust and oppressive acts, imposed on them by Virginia ; who being herself secure, and at ease, had lost all fellow-feeling for the people of Kentucky.

As the election for members to the convention approached, it was given out by General Wilkinson, and

repeated by his particular friends, that he should address the people assembled at Lexington, on the first day of the ensuing election, in a public speech; in order to persuade them to an immediate separation, instead of waiting the time prescribed by the act, of the legislature.

To some, this idea seemed agreeable, to others the cause of much alarm. We determined on an opposition. The day arrived—the people assembled—the *Rostrum* was erected—the speech was made, and opposed. The particular subject of controversy, was the time of separation; and whether it should take place by an inherent right in the people to govern themselves, or be regulated by the act of the general assembly.

The address of the General was predicated upon a separation prior to the time, allowed by the law. In reply, considerable stress was laid upon this circumstance, to shew its impropriety. To obviate this argument which apparently had weight with the audience; the General, explained the word *posterior* (which will be observed in the act) to mean before, not after; and which was all-important as to the time of separation.

Upon this topic he was reduced to this dilemma, that he either, did not know the meaning of the word, or meant to impose upon the people.

That in either case, he was unfit to guide; and unsafe to follow.

That the error was palpable, to those who understood their mother tongue, and must proceed, from the weakness of his head, or the wickedness of his heart; but as the one implied only ignorance, and the other guilt;

our liberality compelled us to acquit him of the latter ; while we left to his own candid acknowledgment, his ex-
trication from the former.

The acknowledgment was not made ; nor this opposi-
tion forgiven.

The speeches, over, some agitation appeared among
the people, many of whom, and especially these from
the remote parts of the county, who were less, or not at
all, under his influence, murmured in opposition to his
proposition for immediate separation. Those about
Lexington, where his personal influence was great, and
where his party in the election was formed, deemed the
moment inauspicious to his election, and the poll was
not opened for taking votes, until late in the day : and
when opened, the General received but few votes, among
those who were polled.

The sheriff, who superintended the election, was in
the General's interest : a resort to stratagem was thought
necessary, and the poll was closed for the day, after tak-
ing about one hundred votes, out of more than five hun-
dred people, who attended to give their suffrages.

The law authorised the election to be continued from
day, to day, for five days ; and those who were disap-
pointed, of their vote on the first, proclaimed that they
should return on the last day, and give it in. This sug-
gested the means to be employed to secure Wilkinson's
election—he had recourse to the militia officers, who fa-
vored his project of ordering militia musters on the last
day of the election, in such parts of the county as were
thought to be against him ; to these musters the people

were summoned, which prevented many from attending the election. While those known to be more favorable to him were urged to come forth, and vote ; whereby the General, and those on the same ticket, were elected.

It is thus, the people are often deceived under specious pretexts, and cheated, by their demagogues, who laugh at their credulity, and deride their simplicity. The event of the election, left considerable discontent on the minds of those who were opposed to an immediate, or irregular separation.

The arts of popularity had been practiced by General Wilkinson with much assiduity, and success.

Whatever truth there may be in the observation " that the way to ladies' hearts, is through their eyes ;" Wilkinson's experience had taught him, " that the way to men's hearts, is, *down their throats.*" He lived freely, and entertained liberally. He surrounded himself with the idle young men, of both town, and country, who loved him dearly ; because they loved his beef, his pudding, and his wine. They served to propagate his opinions, to enhance his fame, to promote his popularity, and to serve him in elections : objects of primary consideration with him.

Most of the aspiring and influential men in the country were in favor of a separation, ostensibly, upon legal principles. And most of these, now considered Wilkinson as the leader.

It is believed that the General was the first, if not the only one, who had publicly advocated a separation contrary to law. So intent however were the separatists

upon the accomplishment of their favorite object, that but few permitted themselves to see in the late conduct of General Wilkinson, the disorganising spirit of an aspiring demagogue. Some few derived apprehensions of danger, to the internal peace of the country, from the influence of a character, in which talents, and address, were made subservient, to an ambition, boundless as space, and restless as the ocean.

What but ambition like his, whose qualifications placed him high in the first rank of talents in the country, could induce him to stoop to the level of the meanest man in society; to court the suffrages,—or to walk the street, arm, and arm, with men of depraved, and sottish habits; but who admired the General, and said, or swore, whatever he deemed necessary, or they imagined, conducive to his fame?

In the other parts of the country the elections produced little or no agitation. The requisite number of members were every where chosen; while the people by this time familiarised to the idea of separation, awaited the decision of the convention, with the less anxiety, as a legal and constitutional separation was every day becoming more and more expedient; nor was any other tolerated by the people, in general.

In the mean time the Indians of the West, and North, frequently crossed the Ohio, and depredated on the frontiers of Kentucky. Representations had been made by some of the county Lieutenants, to the executive authority of the commonwealth, and an answer received from the Governor, that he had addressed congress on the

subject of defending the frontier, and urged the adoption of some effectual mode of protection for the Kentucky district, in particular. That Congress should take no immediate notice of this address, is the less a matter of surprise, when we combine with its known imbecility, a recollection of the treaties which had been recently made with those Indians. The fact of inattention was however announced, and served to increase an irritation, as natural to the people, as it was agreeable to those who were not averse to the progressive alienation of the western country.

While however congress took no measure, to afford the desired security to the frontiers, the Executive of the state, gave some general instructions to the commanders of counties to adopt the necessary means of defence.

In the convention of August 1785, it had been recommended to the militia officers to assemble in their respective counties, and concert such plans as they might deem expedient for the defence of the country—"or for carrying expeditions against the hostile nations of Indians." The spirit of this resolution was now adopted, under the late orders of the executive, and an expedition determined on, to be marched against the tribes on the Wabash, as having been the most troublesome.

General Clark, was to have the command in chief; and a call was made on the militia, for volunteers, to be commanded by their own officers.

An army of about one thousand men was soon raised, and assembled at the Falls of Ohio; where their provisions and ammunition, for the expedition from St.

Vincent's, were embarked in nine keeled-boats, to be transported by water to that place ; whence the General, with the troops directed his march, by land. Having reached the vicinity of that post, the army, lay there nine days, awaiting the arrival of the boats. These had been obstructed, and detained by the shoals, and low water in the Wabash ; until one half of the provision was spoiled : while all that which had been moved by land was exhausted, except a few bullocks. Already had a spirit of discontent manifested itself in the camp. The army was however put into motion upon short allowance, and marched several days in a direction for the Indian town ; to which it was said General Clark had dispatched a flag, offering peace, or war. This rumor added to the want of provisions, and other circumstances, converted previous restlessness, into positive disaffection among the troops ; which being fomented by some officers of rank, who were displeased with the General, at about two days march from the Indian town, three hundred men, early one morning, turned their backs upon the camp, and took the road home ; notwithstanding the most earnest entreaties of General Clark, to the contrary. A scene more humiliating cannot well be conceived. The General, who saw the whole effect of this mutiny and disorder, not only used the most conciliating terms of solicitation, but actually shed tears, in his address to the disaffected, without being able to divert them from their purpose. As to coercion, it was out of the question. The army was now broken, those who remained in camp, were deeply affected, by a sense of

their situation ; the enemy were apprised of their march ; their strength reduced by desertion ; the camp almost destitute of provisions ; and no certainty of getting any, should they proceed, and take the Indian town ; nor even upon their return to St. Vincents, were they certain of a supply. After a short, and rather tumultuous council, orders were given to decamp, and return. The two parts of the army were reunited in the evening, and camped together. They continued their march to St. Vincents, without much order ; at that place the whole body was broken into small parties, and came in by detachment, or rather without order ; and terminated an expedition of much promise, in confusion, and disgrace.

General Wilkinson, who was at the Falls of Ohio, wrote to a friend in Fayette, “ that the sun of General Clark’s military glory was set, never more to rise.” There was much meaning in this sentence, which those who had fathomed Wilkinson, knew how to interpret, and appreciate.

Rumors, were indeed unfavorable to General Clark. But those rumors were set afloat, by his enemies, who wanted an apology for their own conduct ; and who in their turn were accused of fomenting, the insubordination, of which they availed themselves to terminate the campaign.

Candour however, extorts a confession, which is made with regret, that General Clark at this time, “ was not the man he had been.” A high sense of injustice, and a mind corroded by chagrin, had been left with General Clark, by the government, whose territory

he had enlarged, and whose reputation he had raised to renown; which in the ennue and mortification, incident to a state of inaction, had sought extinguishment, or oblivion, in the free use of ardent spirits.

He was accused, with too much truth, for his fame, with frequent intoxication; even in his camp.

There was however another branch of this military enterprise, which was executed with better fortune.

Colonel Benjamin Logan crossed the Ohio with General Clark, on his march to St. Vincents. In the camp on Silver Creek, it was decided in a consultation on the subject, that Colonel Logan should return, raise a party, with all possible dispatch, and march against the Shawanees, whose attention would be taken up by rumors of the army on the Wabash. Logan accordingly left the camp, returned home, and in a short time mustered a sufficient number of mounted riflemen to commence the expedition. His march was rapid, he surprised one of the Shawanee towns, killed some warriors, took a few men prisoners, and brought away the women and children, of some others. No loss is recollected to have happened in Logan's detachment. As mankind are prone to seek palliatives for misfortune, the success of Colonel Logan's expedition was made to console the country for the miscarriage of that under the command of General Clark.

It was asserted by the friends of General Clark, nor do we recollect that it was denied by his enemies, that he was opposed to lying in camp on the Wabash for the arrival of the boats, that he advised an immediate and ra-

pid march, with the provision and ammunition which they had, with orders that the rest when landed, should be brought by a detachment, to be left on command for that purpose. And when we recollect his former expeditions, conducted with such unexampled secrecy and dispatch, we cannot doubt the truth of the report.

But he was overruled by a plurality of voices. And to this delay, may be attributed the failure of the campaign. For nothing is more true, than that inactivity among undisciplined troops, generates, discontent, and faction, and mutiny.

While these transactions, engaged a part of the military citizens of the country in the field, the 4th Monday in September arrived, on which day the convention was to meet, under the act of separation.

Some of the members attended, when it was ascertained, that so many of them were on the two expeditions that a quorum could not be had to do business. On the 25th of the month the members present, under the denomination of committee, prepared a memorial to the Legislature, containing a statement of the causes, which prevented the convention, from being formed, and proceeding to business ; and withal requesting, that some alterations might be made in the terms of separation.

This memorial was transmitted to the care of John Marshall, resident in Richmond, to be laid before the General Assembly ; which was accordingly done. And which produced a supervision of the first, and the passage of the second act of separation ; as will be noticed in another place.

In October of this year, a large number of families, travelling by land to Kentucky, known by M'Nett's company, were surprised in camp by a party of Indians, between Big, and Little Laurel River, and totally defeated with the loss of twenty-one persons killed, the rest dispersed, or taken prisoners.

About this time, Captain Hardin, from the southwestern part of the district, with a party of men, made an excursion into the Indian country, surrounding the Saline; he fell in with a camp of Indians whom he attacked, and defeated; killing four of them without any loss on his part.

Sometime in December, Hargrove and others, were defeated at the mouth of Buck Creek, on Cumberland River. The Indians attacked in the night, killed one man, and wounded Hargrove; who brought off the Indian's tomahawk, obtained in the scuffle.

In this year also, Benjamin Price was killed near the three forks of Kentucky River.

So extremely solicitous were those members of convention, who had attended their seats, to preserve the existence of the body to which they belonged, that a part of them, with their clerk, attended, and adjourned every day, until some time in January 1787; when a quorum was formed. The question was again proposed, *whether it was expedient for, and the will of the good people of the district, that the same should become a state separate from, and independent of Virginia, upon the terms of the act*—and answered in the affirmative.

At this important, and eventful crisis, the second act

In addition to the first, and requiring another convention, was received by the president, in a letter, from a member of the legislature.

It is not easy to describe the discomfiture, and chagrin, attending this communication. Those who, the moment before felt themselves big with the future destinies of the country, discovered in an instant, that the vote they had just given, was without authority, that they were mere private individuals, and that the next step taken by them as a convention, would be an act of usurpation.

Such however was their sense of moral, and legal obligation, that they immediately desisted, and soon after returned to their homes.

Those among the leaders, who were extremely sanguine in their expectations of office, and emolument, under the new order of things, murmured at the recent disappointment; and endeavored to throw an odium on the Legislature, for an act rendered necessary, by occurrences in Kentucky, over which they had no controul. The expeditions of 1786, the failure in the convention of September to act under the first law—the consequent impracticability of that law—and finally the application of a committee, of the members of the same convention, to alter the law; necessarily led to that course of conduct on the part of the Legislature, which in reason should have been expected; but which in passion, was reprobated.

Mr. Marshall, to whom the memorial of the committee had been transmitted, and who had attended to it be-

fore a committee of the legislature, by letter, stated the reasons which influenced the General Assembly in passing the new law. Which in substance, were—

First—That the original law, requiring a decision on the subject of separation, in time, if adopted, for congress, to determine on the admission of Kentucky into the union, before the first of June 1787, could not, in consequence of delay, be carried into effect.

Second—That the twelve months existance allowed to the convention for other purposes, might in the divided state of public opinion, involve difficulties—especially as there did not appear to be in the minority, a disposition to submit, to the will of the majority.

Third—That the proceedings of the convention, would be subject to objection, in consequence of defects in the law.

Fourth—That the most safe, accommodating, and unexceptionable, course would be, to pass a new law, in which the defects of the former act might be corrected ; and to call another convention, to the decisions of which, even the disappointed, could make no reasonable objection.

The result of this reasoning is to be found in the following act :—

“ *An act making further provision for the erection of the District of Kentucky into an Independent State.*

“ Whereas it appears that the representatives elected in pursuance of the act, entitled, “ *An act concerning the erection of the District of Kentucky into an Independent State;*” have been hindered by unforeseen events from

meeting at the time proposed, and determining the question referred to them ; and it is considered that no such determination can now take place within the time necessary for its receiving the assent of congress prior to the first day of June next, as required by the act under which the said representatives were elected.

And whereas it continues to be the purpose of the General Assembly, that the said district shall become an independent state; on the terms and conditions specified in the act aforesaid, whenever the good people thereof shall so determine and the United States in Congress shall thereof approve ; *Be it enacted by the General Assembly*, that in the month of August next, and on the respective days and places of holding courts in the several counties within the said district, five representatives for each county to continue in appointment for one year and to compose a convention with the powers and for the purposes herein after mentioned, shall be elected by the free male inhabitants of the county. The elections shall be conducted in like manner with the like promulgation of this act to the electors, and with the like penalties for neglect of duty in the officers, as were prescribed for the elections held under the act above recited. The convention shall be held at Danville on the third Monday of September ensuing, or whenever thereafter a sufficient number shall be assembled. Five members assembled shall be a sufficient number to adjourn from day to day, and to issue writs for supplying vacancies which may happen from deaths, resignations, or refusals to act. A majority of the whole shall be a sufficient number to

chuse a president and other proper officers, to settle the proper rules of proceeding, to authorise any number of members to summon a convention during a recess, and to act in all other instances, where a greater number is not expressly required. Two-thirds of the whole shall be a sufficient number to determine whether it is expedient for and be the will of the good people of the said district, that the same be erected into an independent state, on the terms and conditions specified in the act above recited: *Provided*, That no vote shall be considered as deciding this question either in the affirmative or negative, unless a majority of the whole number to be elected shall concur therein.

“ *And provided*, that in case two-thirds of the whole shall not assemble within fifteen days after the day appointed for the meeting, a decision in which a majority of the whole shall concur, shall be valid although the number present be less than two-thirds of the whole.

“ *And be it further enacted*, that in case the said convention shall approve of an erection of the said district into an independent state, on the terms and conditions above referred to, they shall and may proceed to fix a day not later than the first day of January one thousand seven hundred and eighty-nine, on which the authority of this commonwealth and of its laws under the exceptions, specified in the act above recited, shall cease and determine forever over the said district, and the articles specified in the said act shall become a solemn compact mutually binding on the parties, and unalterable by either, without the consent of the other.

“ *Provided however*, that prior to the fourth day of July one thousand seven hundred and eighty-eight, the United States in Congress shall assent to the erection of the said district into an independent state, shall release this commonwealth from all its foederal obligations arising from the said district, as being part thereof, and shall agree that the proposed state shall immediately after the day to be fixed as aforesaid, or at some convenient time future thereto, be admitted into the foederal union. And to the end that no interval of anarchy may happen to the good people of the proposed state; it is to be understood that the said convention shall have authority to take the necessary provisional measures for the election and meeting of a convention at some time prior to the day fixed for the determination of the authority of this commonwealth and of its laws, and subsequent to the notified assent of congress to the proposed erection of the said district into an independent state, with full power and authority to frame and establish a fundamental constitution of government for the proposed state, and to declare what laws shall be in force therein, until the same shall be abrogated or altered by the legislative authority acting under such constitution. This act shall be transmitted by the executive to the delegates representing this state in congress, who are hereby instructed to use their endeavors to obtain from congress a speedy concurrence in the measure proposed by this act, and the act heretofore passed entitled “ *An act concerning the erection of the District of Kentucky into an Independent State.*”

It is true that this law replaced the separatists, at the starting pole, again to run the race of popular opinion, and to encounter the incidents of delay ; but time brought to their aid, new circumstances and events, convertible to their purposes, and calculated to subvert existing objections to the proposed separation. By some of these occurrences were seized with avidity, to rouse, inflame, and disaffect the minds of the people, not only in relation to Virginia, but the atlantic states ; and even to the confederation. The navigation of the Mississippi river, and Indian hostilities, were two subjects, possessing inexhaustible themes for popular declamation. Both extremely interesting to the people ; and each, beyond the power, or controul of congress, or Virginia.

Intelligence was brought to Colonel John Logan, of Lincoln county, that one of its inhabitants by the name of Luttrell, was killed by Indians on Fishing Creek, upon which the Colonel collected a party of his militia, repaired to the place, fell upon their *trail*, pursued them across the Cumberland River, came up with them in their own territory, fired on them, killed several, dispersed the rest, retook the plunder, and all their furs, and skins : with these he returned in triumph.

The tribe to which these Indians belonged, being included in one of the treaties of HOWELL, claimed the benefit of that treaty, and charged the aggression to Kentucky, in a complaint to the Executive. This produced an instruction to Harry Innes, Attorney General for the District ; to suppress the like practices, by public prosecution. To which that officer replied, in a letter

dated the 21st of July 1787—" In my official capacity I cannot do it—in a private capacity, it would render me odious." " The Indians (says he) have been very troublesome on our frontiers, and still continue to molest us, from which circumstance I am decidedly of opinion, that this western country will in a few years act for themselves, and *erect an independent government* ; for under the present system we cannot exert our strength, neither does congress seem disposed to protect us, for we are informed that those troops, which congress directed the several states to raise for the defence of the western country are disbanded. I have just dropped this hint to your excellency for matter of reflection." Whatever may be thought of the logic in these extracts, the sentiment is pretty clearly expressed in favor of absolute independence—for the writers decided opinion was "*that the western country will in a few years act for itself, and erect an independent government.*" Neither Virginia, nor the United States, doing what was necessary for her defence.

This hint, was just dropped to the Governor for his reflection. Innes was one of General Wilkinson's bosom friends, whose character this history will develop.

But little had hitherto been said about the navigation of the river, when about the month of March 1787 " a communication was made from a corresponding committee in the western part of Pennsylvania to the people of Kentucky, that John Jay, the American secretary for foreign affairs, had made a proposition to Don Gardoqui, the Spanish Minister, near the United States, to cede

the navigation of the Mississippi to Spain, for twenty-five, or thirty years, in consideration of some commercial advantages to be granted to the United States ; but advantages from which the people of the western country could derive no advantages."

This information so communicated, far from soothing the discontented, afforded a fine subject for declamation against congress, and the eastern states, whose supposed apathy to the western country, on the subject of defence, had already been converted into positive and wilful negligence, by the agitators of separation. The District court was at the time, sitting in Danville, the members of whose Bench, and Barr, were generally among the leaders of separation ; and being attended by many persons of respectability, from different parts of the district, a meeting was proposed, and held; the result of which was, that a committee was appointed to communicate the information to the people at large ; and to recommend to them, the election of five representatives, in each county, at the ensuing April courts, who were to meet at Danville the May following, to take the subject into consideration. This duty was discharged, in the following circular :

"Circular letter directed to the different courts in the Western Country.

"KENTUCKY, DANVILLE, March 29th 1787.

"Gentlemen,

"A RESPECTABLE number of the inhabitants of this district, having met at this place, being greatly alarmed at the late procedure of Congress, in proposing to

cede to the Spanish court the navigation of the Mississippi river, for twenty-five or thirty years, have directed us to address the inhabitants on the western waters, and inform them of the measures which it is proposed for this district to adopt.

The inhabitants of the several counties in this district, will be requested to elect five members in each county, to meet at Danville on the first Monday in May, to take up the consideration of this project of congress—to prepare a spirited, but decent, remonstrance against the cession; to appoint a committee of correspondence, and to communicate with one already established on the Monongahela, or any other that may be constituted—to appoint delegates to meet representatives from the several districts on the western waters, in convention should a convention be deemed necessary—and to adopt such other measures, as shall be most conducive to our happiness. As we conceive that all the inhabitants residing on the western waters, are equally affected by this partial conduct of congress, we doubt not but they will readily approve of our conduct, and cheerfully adopt a similar system, to prevent a measure which tends to almost a total destruction of the western country. This is a subject that requires no comment—the injustice of the measure is glaring—and as the inhabitants of this district wish to unite their efforts, to oppose the cession of the navigation of the Mississippi, with those of their brethren residing on the western waters, we hope to see such an exertion made, upon this important occasion, as may convince congress that the inhabitants of the wes-

tern country are united in the opposition, and consider themselves entitled to all the privileges of freemen, and those blessings procured by the revolution ; and will not tamely submit to an act of oppression, which would tend to a deprivation of our just rights and privileges.

“ We are, Gentlemen,

“ With respect,

“ Your most obedient servants,

“ GEORGE MUTER,

“ HARRY INNES,

“ JOHN BROWN,

“ BENJAMIN SEBASTIAN.”

In most of the counties, elections were accordingly held ; and at the time appointed, several members attended—we among them—who after conferring together, and ascertaining that the Legislature, had taken the subject into consideration, in consequence of an application to congress, for powers to effect the proposed treaty with Spain ; and had not only remonstrated against the cession of the river, but instructed the state delegates in congress, to oppose the measure ; considering themselves completely anticipated, dispersed without doing any thing further.

This temperate and prudent course of conduct it is believed, gave very general satisfaction to the people, who very rationally reposed the defence of their public rights upon the regularly constituted organs of public will.

If indeed Virginia, in the course of the contest for independence, when anxious for its acknowledgment by Spain, as one of the great European powers, and yet

more solicitous to place that independence beyond the reach of the public enemy, had assented to an authority in congress to make the navigation of the Mississippi, a subject of barter for that acknowledgment ; the power itself had not been acted on, and was revoked on the establishment of peace. Besides, the importance of that navigation, had now assumed a growth, and size, by means of the western population, which did not exist, and could hardly have been anticipated, at the time the authority alluded to, had been given. Kentucky was not the only part of Virginia now interested in the navigation of the river ; the people of Holston, of the Canawah, and upper waters of Ohio, equally felt themselves concerned—In addition to this, her neighboring states, of Pennsylvania, and Carolina, were parties of no inconsiderable weight, whose interests were implicated. They had their representatives in the councils of the nation, whose sympathies were in the most perfect unison with the resolutions of Virginia, which evince her early and ardent attention to the subject, and which we shall give in her own language :—

“RESOLVED unanimously, That a copy of the memorial of sundry inhabitants of the western country, be transmitted to the delegates representing this state in congress.

“Resolved unanimously, That the common right of navigating the Mississippi and of communicating with other nations through that channel, be considered as the bountiful gift of nature to the United States, as pro-

prietors of the territory watered by the said river and its eastern branches.

“ Resolved unanimously, That the confederacy having been formed on the broad basis of equal rights in every part thereof, to the protection and guardianship of the whole, a sacrifice of the rights of any one part to the supposed or real interest of another part, would be a flagrant violation of justice, a direct contravention of the end for which the federal government was instituted, and an alarming innovation of the system of the Union.

“ Resolved therefore unanimously, That the delegates representing this state in congress be instructed in the most decided terms to oppose any attempts that may be made in congress to barter or surrender to any nation whatever, the right of the United States to the free, and common use of the river Mississippi; and to protest against the same as a dishonorable departure from that comprehensive and benevolent policy which constitutes the vital principle of the confederacy, *as provoking the just resentments and reproaches of our western brethren, whose essential rights and interests would be thereby sacrificed and sold*, as destroying that confidence in the wisdom, justice, and liberality of the federal councils which is so necessary at this crisis, to a proper enlargement of their authority, and finally as tending to undermine our repose, our prosperity and our union itself, and that the said delegates be further instructed to urge the proper negotiations with Spain, for obtaining her concurrence in such regulations, touching the mutual and common use of the said river, as may secure

the permanent harmony and affection of the two nations and such as the wise and generous policy of his Catholic Majesty will perceive to be no less due to the interests of his own subjects than to the just and friendly views of the United States.”

Well as this measure was adapted to prevent a cession of the right to navigate the Mississippi, it yet remained with Spain who possessed its banks, and ports, to permit the exercise of that right within her territories—she had uniformly refused that permission.

As the navigation of the Mississippi, if we may be allowed the use of the figure, forms the canvas, on which are to be grouped, some distinguished leaders of separation, and in all respects is a subject of great public interest, we shall give a concise history of the real state of the case, as connected with Mr Jay’s proposition.

The treaties of peace had vested in the United States, the country on the eastern bank of the Mississippi, down to the northern extremity of the thirty-first degree of latitude ; and in Spain the residue.

By treaty, the United States had acquired all the right which Great-Britain could convey to the free navigation of that river—but Spain in fact held both banks, from the thirty-second degree, downward.

This navigation, and boundary, had for some time been under discussion, between the two governments, without receiving any satisfactory adjustment.

On the 28th of June 1785, the arrival of Don Diego Gardoqui, was announced to congress ; and that he was the *encargo de negocios* of his Catholic Majesty, with

plenipotentiary powers to treat in behalf of his majesty, with any person or persons vested with equal powers by the United States; on the subjects in controversy.

The Hon. John Jay, then being the Secretary of the United States, for Foreign Affairs, received from congress a similar commission, and a negotiation was opened between the Ministers in New-York.

But it is to be remarked, that the caution of congress had inserted in the commission of Mr. Jay, these *ultimate*—"That he enter into no treaty, compact or convention whatever, with the said representative of Spain, which did not stipulate the right of the United States, to the navigation of the Mississippi, and the boundaries as established by their treaty with Great Britain."

More than half a year had elapsed before congress had any communication of the progress of negotiation. Difficulties were at length announced, by the American minister; he was called before congress, and explained, by presenting to view the project of a treaty of commerce containing as he suggested, advantageous stipulations in favor of the United States—in consideration for which it was proposed that they should forbear the use of the navigation of the Mississippi, for the term of twenty-five or thirty years. He urged the adoption of this project, as a beneficial one—that a stipulation to forbear the use, on the part of the United States, was an admission of the right on the part of Spain—That the United States were in no condition to take the river; and therefore gave nothing for the benefit they would derive from the treaty.

Under this view of the subject, the seven most east-

wardly states voted to rescind the *ultimata*, in the Secretary's instructions. And it was entered on the journal although it required nine states to give an instruction.

If the object of the minister was pursued with ardor on the one side, it was repelled with equal animation and fortitude on the other. This controversy brought the subject before the public, and we have seen the result. No such treaty was ever made.

Those who will take the trouble to recollect, the first representation of this subject, will by comparison, see in it, errors, and exaggerations but too common, in addresses made to the people; whose passions it is supposed must be roused, before their judgments can be influenced.

No sooner had the public ferment occasioned by the rumors put into circulation on the subject of the cession of the navigation of the Mississippi, subsided, than it was again reproduced by a claim to the active possession, and use of the river.

General Wilkinson, whose habits required the expenditure of money, and whose revenue demanded continued ascession, being commercially inclined, and seeing less difficulty, in an intercourse with the Spaniards at New-Orleans, than the rest of his countrymen, had, coeval with the determination in favor of an Independent state, decided upon a voyage on the Mississippi: In the summer of this year, he reduced his theory, to practice, with a small cargo of tobacco; loudly exclaiming against restraints on the rights of navigation.

Sometime after the excursion of Colonel John Logan to the south, Colonel Robert Todd of Fayette

made another to the north—in consequence of information given by some Shawanees, that a party of Cherokees settled on Paint Creek, was hostile to Kentucky. Colonel Todd's party killed three Indians, and took seven prisoners, who soon afterwards made their escape.

In June, Major Oldham, crossed the Ohio with a scouting party, and made a tour to the Wabash ; but without seeing any Indians.

Such representations had been made to the Executive of Virginia, that on the 5th of June 1787, the Lieutenant Governor laid before the council, letters which came to him by express from the county Lieutenants of Lincoln, Jefferson and Fayette, giving information that the western Indians had at different times, and even lately committed hostilities on the inhabitants of Kentucky.

“ Whereupon it was advised that copies of the several letters, and papers be forwarded to the delegates of the state, in the congress of the United States.

At the same time it was advised,

“ That Colonel Benjamin Logan be directed immediately to convene the county lieutenants or commanding officers of the different counties composing the district of Kentucky, and with their advice, to form some system for the defence of that district ; cautiously avoiding offensive operations, and taking care that the troops which it may be necessary to embody, for carrying into execution any plan of defence that may be adopted, *do on no occasion go without the limits of the state, except in the immediate pursuit of an invading enemy.*”

In consequence of the representation made to congress

that honorable body on the 21st of July, 1787—

“RESOLVED, That the Secretary at War place the troops of the United States in such positions as shall afford the most effectual protection to the frontier inhabitants of Pennsylvania and Virginia from the incursions and depredations of the Indians, for preventing intrusions on the federal lands, and promoting a favourable issue to the intended treaty; to this end, one company and an half shall remain at Venango, Fort Pitt, and Fort M’Intosh, one be posted on the Muskingham, one on the Miami, three at Post St. Vincents, and the remaining troops at the rapids of the Ohio, subject, however, to such changes and alterations as the commanding officer shall judge the good of the service may require.

“Resolved, That the executive of Virginia be requested to give orders to the militia in the district of Kentucky, to hold themselves in readiness to unite with the federal troops in such operations as the officer commanding them may judge necessary for the protection of the frontiers, and that on the application of the commanding officer of the federal troops, the said executive be requested to give orders that a part of the said militia, not exceeding one thousand, be embodied and take such positions, as the said commanding officer shall direct, for acting in conjunction with the federal troops, in protecting and defending the frontier inhabitants, and in making such expeditions against the Indians, in case they continue hostile, as Congress shall hereafter order and direct.”

This resolution of congress being transmitted to the

Executive of Virginia, on the 14th of August, a copy was enclosed to the several county Lieutenants of Kentucky, with instructions, to hold their militia in readiness at all times, to unite with the federal troops in such operations as the officer commanding them, shall judge to be necessary.

To that general order, was subjoined this singular qualification, "You are not however to consider yourself at liberty to embody any part of your militia, for the purpose of carrying into execution the foregoing instructions, until you receive special orders from the Executive for that purpose."

At the August courts of this year, elections were held under the last act of separation, for five members in each county, to compose a convention, to meet at Danville on the third Monday in September, and to decide on the expediency of separation, on the terms proposed—

On the 18th of August, this year, "the Kentucky Gazette," a weekly newspaper, was published under the direction of Mr. John Bradford, an ingenious, and enterprising citizen of Lexington. At first this paper appeared on a demi sheet; immediately it became the vehicle of discussion to the parties, for and against a separation. The first of September it assumed the medium size, which it retained, or lost in one of greater dimensions.

The publications on the subject of separation, evince the possession of considerable political knowledge, as well as literary acquirement on both sides of the question.

The PRESS so operative in the diffusion of information, and in the propagation of opinion, was deemed an acquisition of the first importance. Considering the situation of the country, and the locality of the presses at that time in the United States ; and considering also that Mr. Bradford was no printer, the district was really under obligations to him for the enterprise and exertion by which he introduced the apparatus, and effected the establishment. It has been a prolific parent truly, if we are to consider it the mother of the fifteen presses, which at this time replenish the laboring mails with weekly miscellanies ; and feed the craving appetite of political news-mongers, with daily food for controversy.

On the 17th of September, the convention assembled at Danville, agreeably to the provisions of the last act of separation. After the usual organization, it decided without a dissenting voice in favor of the separation of the district from the residue of the state; *upon the terms and conditions prescribed by law*. It then proceeded to address congress, in a very respectful and loyal style, for the admission of the new state into the Federal Union; by the name of Kentucky ; and fixed the last day of December 1788, for the termination of the authority of Virginia, and the commencement of the new Republic.

Neither Virginia nor the people, were separately addressed—but for the information of the one, Mr. Bradford was requested to publish a copy of their journal, and for the satisfaction of the other, the President was requested to inclose a copy to the Executive.

They also resolved “ that the President do address the

representatives from this district to the general assembly requesting that they will use their endeavors to have an inhabitant of the district appointed a delegate to congress for the ensuing year."

Further, they resolved "that a convention should be elected, with full power and authority to frame and establish a fundamental constitution of government for the proposed state, and to declare what laws shall be in force therein, until abrogated or altered by the legislative authority acting under the constitution so to be framed and established." And

Finally—that in the month of April next, on the respective court days of the counties within the said district and at the respective places of holding courts therein representatives to continue in appointment until the 31st day of December 1788, to compose the said convention, shall be elected, within the said district, by the FREE MALE inhabitants of each county, in the like manner as the delegates to the general assembly have been elected;—in the proportions following, to wit:—in the county of Jefferson five representatives—and so on, *giving five to every county.*

Thus having manifested, the utmost propriety of temper and conduct, and completed the business for which they had assembled, they peaceably dispersed, in the sanguine expectation, and well founded hope that labors so long pursued, and so faithfully performed,—would be crowned, in due season with their merited success.

It is to be remarked that this convention adopted the principle of the state constitution, as to the number of

representatives to be chosen for the next convention, requiring alike number from each county.

Nor should the observation be omitted, that their proceedings exhibited none of those sentiments, or expressions, which led the mind to an absolute separation, from Virginia and the union.

Nor will it be superfluous to add the reason—The leaders of *violent separation* were not in this convention.

General Wilkinson, had gone to Orleans.—Mr. John Brown, was in Virginia,—and if Innes, and Sebastian, were present, they were not yet prepared to lead in such a measure.

During the time, the question of separation had been agitated, from 1784 to the present period, the population of the country had greatly increased, as had the proportion of well informed people.

The idea of separation in its origin was entirely loyal, intended to be pursued in the course pointed out by propriety, and sanctioned by the constitution and laws, with a view of being embraced in the circle of confederated states; and with this view only.

When it was found that the legislature sanctioned this idea, it was very natural and reasonable to cast about the enquiry, who would be proper representatives for the new state, in the congress of the United States.

Nor was this omitted among the leaders of separation. For each state sent as many members as it pleased, having but one effective vote, and continued them also at pleasure.

After however the separation had been delayed, the

propriety of having one of the Virginia members from the district of Kentucky, was strongly urged among the same description of persons—and Mr. John Brown, who had formerly been spoken of as a member to congress, was this year elected a member to the Virginia legislature, probably with a view of his getting into congress.

In December the appointment of Mr. John Brown to congress, was announced to his clients by Harry Innes, who attended to his law business, in his absence.

As Mr. Brown will necessarily make a conspicuous figure in the pages of this history, we shall take the liberty at this place of presenting the reader with an introductory sketch of that gentleman's biography. He was the son of a respectable clergyman, who preached to several congregations in the counties of Augusta and Rockbridge, Virginia. He had received a classical education, studied the law, attained his full age, and a portly size, with but little elegance of person, or manners, when he arrived in Kentucky in 1783, to practice at the bar of the courts of law and equity.

No man who had yet arrived in Kentucky, if there were any afterwards, made his entrance into the country under more favorable auspices, than Mr. Brown. His father was popular in his vocation, many of his church members had removed to Kentucky, and readily transferred to the son, the friendship and regard, they had for the father. Besides, Mr. Brown was supposed to possess talents of the first class, looked as if he was able to bear a hand in the defence of the country—accommodated himself to the temper of the times, had a fair reputation,

and was known to have come to Kentucky to make his fortune—of course, to participate in that of the country. A large share of business, (and it was increasing fast in the district court) fell into the hands of Mr. Brown. In the same proportion, he also acquired popularity.

We have seen that he was a member of the convention in 1786; that in 1787, he was one of those who addressed the people on the subject of the Mississippi—was afterwards elected to the state legislature—and ultimately chosen one of the Virginia delegates to congress. It is in the latter capacity—as one of the national council, that we shall next have occasion to notice him.

If the incursive depredations of the Indians, had been retorted on them, the suspension of hostilities on their part was of but short duration.

What might have been remarked last year or sooner, is nevertheless applicable now. The Indians could but observe that the British, still held the posts on the Lakes, which they had been informed were to have been given up to the Americans, as a consequence of their victory in the late war. They even doubted whether the United States had been conquerors—they thought themselves imposed on, and injured, by the treaty—they continued to get their usual supplies from the British garrisons, nor could they get them elsewhere; and however hostilities had been suspended for a time—the parties, by their mutual depredations, were once more, really at war.

In December, the Indians took a small station at Drennon's Lick, and killed two men—they immediately abandoned the place, and were not pursued.

CHAPTER VIII.

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Incidents of Indian hostility—General Wilkinson returns from New-Orleans a Spanish subject, possessed of the exclusive privilege of taking tobacco to that port.—Indian hostility in March—new federal constitution offered to the adoption of the people—generally opposed in Kentucky—members elected in April to conventions, to meet in Richmond, and in Danvill.—federal constitution adopted—convention meet in Danville, their proceedings and dissolution—address of George Muter on the subject of instructions—the election—John Brown writes to the president of the convention—to Judge Muter and others—resolution of congress on the subject of admitting Kentucky into the union.—Brown's interviews with Gardoqui—his overtures, disclosed in Mr. Brown's letters—the letter to Judge Muter inserted, and discussed.

THE Indians, as if more intent than usual upon murder, or for the purpose of horse-stealing, entered the settlements in January 1733, notwithstanding there was snow on the ground.

In the neighborhood of the Crab Orchard, two were seen ; and being pursued by Captain Whitley, and a party of his men, were both made prisoners. What was unusual, they attempted to travel in the night, and not being able to keep the trace, rambled very much, crossing it many times, whereby they were retarded in their progress, and overtaken on their retreat, which they commenced upon being discovered. They were not killed, as one had been, who was taken in 1785, after he was brought in, but were exchanged.

About the 28th of the month, a party stole twenty-five horses, on Elkhorn, near Colo. Johnson's, they were pursued by Captain Herndon, but escaped.

In February, General Wilkinson returned from Orleans, in a chariot, with four horses, and several servants. And soon it was rumored that he had made a contract with the Spanish Governor, which enabled him to ship tobacco, and deposit it in the king's store, at ten dollars per hundred—*which none but Spanish subjects could do.* In fact, that he was a Spanish subject, having taken the necessary oath. He proposed buying tobacco, and let it be known that he had an exclusive privilege, at Orleans : spoke highly of the importance of the right of navigation, and of a commercial connection between the two countries—with occasional hints, and inuendoes, that nothing was necessary to bring it about, but the separation, and *independence of Kentucky.*

He had previously encouraged the raising of tobacco ; and was now the buyer. This was perfectly satisfactory to the greater number of those who made it ; and in o-

thers it excited a disposition to become adventurers, in the same kind of enterprise ; a few there were whose suspicions were awakened, but who, left without data upon which to raise an accusation ; and still less able to stem the current of popular opinion, in his favor, confined their opinions to their friends. For measures were soon taken, and sentiments and opinions propagated, to make the people believe that they were greatly indebted to General Wilkinson, *for opening that navigation, which Mr. Jay had wanted to withhold from Kentucky ; and for realising that commerce, which congress would not procure for the country.*

The return of General Wilkinson from Orleans, was through the atlantic states, and probably at Richmond he had seen, and opened his secret to Mr. John Brown, destined, for congress, and whom he knew to be one of those in Kentucky, most ardent for separation ; and whose sensibilities were particularly affected by the perilous state of the Mississippi navigation, and the trade to New-Orleans.

In March the Indians repeated their visits to the frontiers, and the night of the fifth, fired on a party of white men encamped on the Cumberland road, and killed two of them. There was snow on the ground. A party from the neighboring settlement pursued the Indians, came up with them in camp, fired on them, but killed none. The Indians fled in great consternation, without their guns, or packs, with such rapidity that they were not overtaken, but it was hoped that they perished in the cold ; as several of the white men, got frost-bitten.

About the 21st of the month, a party of Indians called at the house of a Mrs. Shanks, on the waters of Licking, and demanded entertainment for the night ; the door was shut, and they were refused entrance. They forced the door, killed four of the family, took one prisoner, and dispersed the rest.

The 25th of the month, the same Indians, or another party, took a negro on Elkhorn. The 28th, the bridle of a young man on horseback was seized, by a way-laying Indian, who was however compelled to break his hold, and the rider made his escape.

They now commenced a mode of warfare on the Ohio, that was still more terrible—they manned a flat, which they had taken, and learned to manage ; and with this they intercepted several family-boats on the river ; and killing, or taking, those on board, plundered the boats of their lading.

These circumstances excite considerable ferment in the minds of the people ; which is turned to the account of the separatists—who cry out for power to carry the war into the Indian country. As if in the event of separation from Virginia, and becoming a member of the union, the country would not still have been under the controul of congress, in its military operations, beyond its own limits ! And as if any thing short of absolute independence could have conferred the right contended for, of making war beyond their own territory !

In the mean time also, another subject of great interest had been thrown upon the public mind, and mingled itself with the other topics of discussion.

It was the Federal Constitution, formed in 1787—and now offered to the adoption of the people. It is confidently believed, that the advocates for immediate and violent separation, were universally opposed to the adoption of this constitution. The most common, and ostensible objection was, “that it would endanger the public liberty—that it was, too strong.” While nevertheless, the existing confederation, weak, and inefficient, was not only a cause of complaint, but a subject of ridicule; even to some of those very men. That both ideas, were adapted to another, which it will be our business to develop—*a connection with Spain*—will be manifest, in the progress of this history.

Many well disposed persons of respectable information, were in favor of ratifying the new constitution, with some amendments. They were taught that these amendments could, and ought to be made before ratification; although the instrument itself provided a mode of amendment after its adoption, equally provident and efficacious.

With the great mass of the people, who seldom see speculative objects with very clear discrimination, it was settled into an opinion, that the ratification was to be rejected, with the exception of Jefferson county; where public opinion at that time, was governed by strong federal views, and wishes.

A crisis more important, had not occurred to Kentucky. The legislature had authorised each county in the commonwealth, to elect two members, at the general election in April, to meet in June at the seat of govern-

ment, there to compose a convention with powers to accept, or reject, the proposed federal constitution. At the same election, were also to be chosen, five members, from each county in Kentucky, for the purpose of forming a convention at Danville, whose business was to frame a constitution, for the proposed state. The last mentioned election was to be continued five days—the other might be terminated in one day.

Members, were accordingly elected to both conventions. We belonged to the first, attended our seat, and voted with the Jefferson members in favor of ratifying the federal constitution—and for subsequent amendments. Being perfectly convinced, that previous amendments, amidst the agitated, divided, and conflicting opinions of the popular leaders throughout the continent, were impracticable; whereas by the adoption, they would be ensured. Time, and experience, have proved the correctness of that course. The vote for ratification took place on the 20th of June 1788—eighty-eight, to seventy-eight. Virginia being the tenth adopting state.

The convention of Kentucky met for the discharge of its duties, on the 28th of July, at Danville. While in session, intelligence was brought, that congress, had declined acting any further, on the subject of admitting Kentucky into their union; as the new constitution for the United States, was ratified by the competent number of states; referring the final decision on that important measure to the congress, about to be formed.

This news, to the leaders of the people, was as disagreeable, as it was unexpected. The favorite object of

separation, in which were included a thousand hopes, and a thousand expectations, was a second time snatched from their eager grasp, when it was almost realised, in their embrace.

This period so eventful might never again return. Had the separation now been completed, and a constitution of government formed, and organised, it might have been made a question, whether, in case the new government of the United States took effect, of which there was yet doubt, Kentucky would be a member, or not. Nor were there wanting those who urged, that though formally included in the adoption of Virginia, that in fact, her representatives, by a great majority were opposed to the constitution; as were also the people of the country, generally.

The temper manifested in this convention, was remarkably different, from that which characterised the disappointed convention of 1787. In the place of a momentary vexation, which yielded to a sense of duty, a love of peace, and the force of the reasons, which had occasioned, the postponement, of separation in that instance; there were now observable, the most real vexation, a share of ill-temper, bordering on disaffection to the legal course of things; and some strong symptoms, of *assuming independent government*. And had not these dispositions been met by those of a contrary tendency in others, it is not difficult to say what would have been the result.

The navigation of the Mississippi, and the Orleans trade, were strongly pressed into the argument in favor

of, completing the constitution, and organising government, without further delay.—Amidst the difficulty and embarrassment of the moment, it was proposed, that each militia captain should take the sense of his company individually, upon the course to be pursued. This motion was rejected upon debate, and for reasons, which we deem worthy of the perusal of the present, and the consideration of future politicians.

First—that such a measure would supercede, the necessity of a convention,, or general deliberative body.

Second—that these officers, must be able and willing, to give every necessary information to the people, in order to obtain a correct opinion.

Third—that they should be perfectly disinterested, and impartial, else the votes would not be correctly taken.

Fourth—that the mode proposed, although it had a flattering appearance, was calculated to disappoint every honest man, who depended on it.

Fifth—that to avoid the many mischiefs incident to such a course, resort was had to representatives, and general assembles; where all were to hear, and be heard, preparatory to decision.

A large majority concurred in these reasons.

At length these discussions resulted in the following resolutions; and the convention was dissolved.

“Whereas it appears to the members of this convention, that the United States in congress assembled, have for the present declined to ratify the compact entered into between the Legislature of Virginia and the people of this district respecting the erection of the district into

an independent state : in consequence of which the powers vested in this convention are dissolved, and whatever order or resolution they pass cannot be considered as having any legal force or obligation ; but being anxious for the safety and prosperity of ourselves and constituents, do earnestly recommend to the good people inhabiting the several counties within the district each to elect five representatives on the times of holding their courts in the month of October next, to meet at Danville on the first Monday in November following, to continue in office until the first day of January, 1790, and that they delegate to their said representatives full powers to take such measures for obtaining admission of the district as a separate and independent member of the United States of America, and the navigation of the river Mississippi, as may appear most conducive to these important purposes : and also to form a constitution of government for the district, and organise the same when they shall judge it necessary, or to do and accomplish whatever, on a consideration of the state of the district, may in their opinion promote its interests.

“ *Resolved*, That the elections directed by the preceding resolution be held at the court house of each county, and continued from day to day for five days including the first day.

“ *Resolved*, That the sheriffs within the respective counties of this district, be requested to hold the said elections and make return thereof to the clerk of the supreme court immediately after the same are finished, and also deliver to each representative so elected, a certificate

of his election, and in case there shall be no sheriff in either of the said counties, or he should refuse to act, that any two acting magistrates then present may superintend and conduct said elections and make returns and grant certificates in the same manner the sheriffs are requested to do.

“ Resolved, That every free male inhabitant of each county within the said district has a right to vote at the said elections within their respective counties.

“ Resolved, That a majority of the members so elected be a quorum to proceed to business.

“ Resolved, That if the said convention should not make a house on the said first Monday in November, any three or more members then assembled may adjourn from day to day for five days next ensuing, and if a convention should not then be formed at the end of the fifth day, that they may then adjourn to any day they think proper, not exceeding one month.

“ Resolved, that the sheriffs of each county, or the said magistrates, as the case may be, read, or cause to be read the aforesaid resolutions on each day immediately preceding the opening of the said elections.

“ Ordered, That the president do request the printer of the Kentucky Gazette to publish the proceedings and resolves of congress by him laid before this convention, also such of the proceedings of this convention as the president shall think proper, and in particular that the printer continue to publish weekly until the first of October next the recommendation for electing another

convention and the several resolutions relative thereto.

A true copy,

“THOMAS TODD, c. c.”

It is to be remarked that this convention in their attempt to obtain separation, and to organise government, relapsed into the Virginia principle of representation by counties—assigning to each county five representatives; although they did not propose to apply to Virginia for her assent to these measures. The abandonment of this obvious and only legal course, for the attainment of admission into the union, affords the strongest possible negative evidence, of an existing disposition, to throw Kentucky out of the union, and to commit her, to the guidance of men whose propensities, and probably their engagements, led them to form a connection with the Spanish provinces; under the protection of the Spanish monarchy.

It is not however this negative evidence alone, which authorises this inference, it has been confirmed by positive proof: of which more hereafter.

The powers proposed to be derived from the people to the next convention involved considerable debate. In the course of which, ideas, and opinions, were elicited, which excited the more alarm as they were but half expressed on the subject of the Mississippi; and hence could not be so laid hold on, as to be made palpable to common conceptions. But which were suspected of meaning more, than met the ear.

The source of these apprehensions, is embodied in the first resolution, in these words—“and that they dele-

gate to their said representatives, full power to take such measures for obtaining admission of the district as a separate and independent member of the United States of America and the navigation of the river Mississippi, as may appear most conducive to those important purposes : And also to form a constitution of government for the district, and organize the same, when they shall judge it necessary ; *or to do and accomplish whatever on a consideration of the State of the District may in their opinion promote its interest.*" Powers, more unlimited than these, the people themselves in a state of nature, or destitute of all government, do not possess. Powers in fact, utterly incompatible with the organized constitutions of state, and general government ; and broad as insurrection itself, in patent form.

The promulgation of this resolution, was productive of some alarm. It went very far to explain, the nature of General Wilkinson's connection with the Spanish government ; and it confirmed an opinion previously entertained, that his object was to effect a much more extensive connection between the Spanish provinces, and Kentucky, than that of shipping tobacco to New Orleans, without the agency of the United States ; *or even the consent of Virginia.*

Sometime after the adjournment of this convention the idea of disunion was formally combatted in the public prints of the country. No avowal so formal was made in its favor.

It was thought by its projectors, that circumstances,

were not yet prepared for its support, and the scheme was covertly managed.

A letter of the Chief Justice of the district, to the Editor of the Kentucky Gazette, will shew his impression of the approaching emergency. And to those who know the mildness and caution of his temper, the danger will be thought apparent, which could have induced him to make the communications, and proposals, disclosed in this letter, bearing date the 15th of October 1788. It follows :—

“ Forming a constitution of government, and organising the same before the consent of the legislature of Virginia for that purpose first obtained, will be directly contrary to the letter and spirit of the act of assembly entitled “ an act for punishing certain offences, and vesting the governor with certain powers ;” which declares, “ that every person or persons who shall erect or establish government separate from, or independent of the government of Virginia within the limits thereof, unless by act of the legislature for that purpose first obtained ; or shall exercise any office under such usurped government, shall be guilty of high treason.”

The third section of the fourth article of the federal constitution expressly declares, “ that no new state shall be formed, or erected within the jurisdiction of any other state ; nor any state be formed out of the junction of two, or more states, without the consent of the legislatures of the states concerned, as well as of the congress.”

Therefore the consent of Virginia to the separation must be first obtained agreeably to the above cited secti-

on, to afford to Kentucky any prospect of being admitted a member of the federal union.

In the tenth section of the first article of the federal constitution it is declared, “ that no state shall enter into any *treaty*, alliance, or confederation ;” of course it must follow that no part of a state, can enter into any such *treaty*, alliance, or confederation.

The resolution of the late convention if adopted by the people, might fairly be construed to give authority to the next, to TREAT WITH SPAIN, to obtain the navigation of the Mississippi, if they should think such a measure conducive to their interest ; when it might plainly appear by the before recited section, that any other application than to the assembly of Virginia, and to the congress of the United States, must be contrary to the federal constitution.

It is therefore submitted to the consideration of the inhabitants of Fayette, whether it may not be necessary in the instructions to their delegates, to direct them not to agree to the forming a constitution and form of government, and organising the same, ’til the consent of the legislature of Virginia for that purpose, is first obtained.—Not to agree to make any application whatever to obtain the navigation of the Mississippi, other than to the legislature of Virginia, and the congress of the United States.—To draw up and forward to the assembly of Virginia, a memorial requesting them to alter their acts for the separation of this district from Virginia—that the same be brought before the congress of the U. States in the manner directed by the federal constitution—and

to request them to authorise the convention by law to form a constitution of government, and to organise the same. “ Or direct a new convention to be chosen to continue in office a reasonable time, and to be vested with those powers.

“ To forward to the assembly of Virginia and the congress of the United States (if they judge proper and necessary) a decent and manly memorial, requesting that such measures may be pursued by congress, or that Virginia will use her influence with congress to take such measures as shall be most likely to procure to the people of the western country, the navigation of the Mississippi.” To this, was signed his proper name, GEORGE MURTER.

To this measure he had previously obtained the entire approbation of his friend, Colonel Thomas Marshall, with whom he had been long intimate, and to whom he had shewn the letter of mr. Brown, which we shall presently introduce—the clandestine objects of which were penetrated—and to counteract which, they determined to become candidates, for the proposed convention; neither of them having been in the last; and took much pains to inform the people, of the unconstitutional, and dangerous course, to which they had been advised by the resolution of the late convention. The people were roused.

The agitation was considerable—there appeared to be two parties, the one for temperate, the other for precipitate measures—The moderate and loyal party, was apparently the most numerous—a meeting of the militia

officers was at length effected, moderate measures adopted—and tranquility in a considerable degree restored to the public mind.

General Wilkinson, found that it was necessary to dissemble his real views—the election came on, it was exceedingly animated; Thomas Marshall, George Muter, Joseph Crockett, Caleb Wallace, and James Wilkinson, were elected. The three first united in political views. Those of Mr. Wallace, were not without suspicion; probably because he expressed himself with caution, and reserve; but we have no evidence upon which to impeach his integrity. This history will derive much important and useful matter from another source, it is the mission of Mr. John Brown, to congress.

He had brought the address of Kentucky, to become a new state, into congress, as early as February. But owing to some cause not exactly to be explained, by us, whether, a tardiness on his part, for purposes which future developments may suggest, or evince; or owing to an unwillingness, on the part of congress to act on the subject; even on the morning of the third of July, the fourth, being the period limited by the act of separation, for the assent of admission, on the part of congress—some weeks after the Virginia convention had been in session—and some days after they had in fact, ratified the federal constitution; the question before congress, whether Kentucky should be received into the union, had not been disposed of, finally. On that day, the motion of Mr. Brown, was taken up for the last time, and ultimately postponed, for the reasons subjoined:

“ Whereas application has been lately made to congress by the legislature of Virginia, and the district of Kentucky, for the admission of the said district into the federal union as a separate member thereof, on the terms contained in the acts of the said legislature, and in the resolutions of the said district relative to the premises. And whereas congress having fully considered the subject, did on the third day of June last, resolve that it is expedient that the said district be erected into a sovereign and independent state, and a separate member of the federal union, and appointed a committee to report an act accordingly, which committee on the second instant was discharged, it appearing that nine states had adopted the constitution of the United States lately submitted to conventions of the people :

“ And whereas a new confederacy is formed among the ratifying states, and there is reason to believe that the state of Virginia including the said district did on the 26th of June last become a member of the said confederacy ; and whereas an act of congress in the present state of the government of the country, severing a part of the said state from the other parts thereof, and admitting it into the confederacy formed by the articles of confederation and perpetual union, as an independent member thereof, may be attended with many inconveniences while it can have no effect to make the said district a separate member of the federal union formed by the adoption of the said constitution, and therefore it must be manifestly improper for congress assembled under the said articles of confederation to adopt any other measures re-

lative to the premises than those which express their sense that the said district as a separate state, be admitted into the union, as soon as circumstances shall permit proper measures to be adopted for that purpose :

“ *Resolved*, That a copy of the proceedings of congress relative to the independency of the district of Kentucky, be transmitted to the legislature of Virginia, and also to Samuel M^r Dowell, esq. late president of the said convention, and that the said legislature and the inhabitants of the district aforesaid be informed, that as the constitution of the United States is now ratified, congress think it unadvisable to adopt any further measures for admitting the district of Kentucky into the federal union as an independent member thereof under the articles of confederation and perpetual union ; but that congress thinking it expedient that the said district be made a separate state and member of the union, as soon after proceedings shall commence under the said constitution as circumstances shall permit, recommend it to the said legislature and to the inhabitants of the said district, so to alter their acts and resolutions relative to the premises, as to render them conformable to the provisions made in the said constitution, to the end that no impediment may be in the way of the speedy accomplishment of this important business.

“ CHARLES THOMPSON, Secr.”

It was this document which Mr. Brown should have transmitted to the convention of Kentucky, whose proceedings we have noticed. And thus by shewing that there was no permanent objection to the admission of Kentuc-

ky into the union, on the footing of the other states—that congress had in fact expressed an opinion in its favor—he would have furnished the reasons for suspending the final act of admission, which could but have appeared quite satisfactory, to the convention.

But we rather chuse to state what was done by Mr. Brown, than suggest what he ought to have done.

To the president of the convention, he wrote soon after the foregoing resolution of congress had passed that body—giving information of his labors, and disappointment—to which, he added, *his own reasons*—not those of congress, *for the failure*. In this letter was inclosed a detached scrip, in these words : “ In a conversation I had with Mr. Gardequi, the Spanish minister relative to the navigation of the Mississippi, he stated that *if the people of Kentucky, would erect themselves into an independent state, and appoint a proper person to negotiate with him*, he had authority for that purpose, and would enter into an arrangement with them for the exportation of their produce to New-Orleans, on terms of mutual advantage.”

Straws, on the stream, shew its course, as feathers in the air, point out the direction of the wind. We shall not indulge ourself in unavailing regret that the envelope of this precious bit of *embrio treachery*, has been lost ; both were shewn, and both had their effect.

This is not the only letter which Mr. Brown wrote about the same time, to those in Kentucky, whom he thought he dared venture to trust.

We heard of several such letters, and are fortunate enough to have obtained one which led to a full disclo-

sure of the SPANISH CONSPIRACY, that had been long cherished in Kentucky, to the annoyance of honest men, to the aggrandizement of those of a contrary character, and to the real danger of the public peace.

This letter, in the hand writing of Mr. Brown, is dated at New-York, the 10th of July 1788, and addressed to the Chief Justice, George Muter, who had gone hand in hand with the separatists, so far, and so long, as they confined themselves to the tract prescribed by the laws, and constitutions of his country—but whose fidelity being shocked at the measures lately adopted by the leaders of separation, had resorted to the course which we have exhibited: thinking himself fully justified by the confirmative letter of Mr. Brown; which was not however, exposed to public view, until the 4th of September, 1790, though confidentially shewn soon after its receipt. But before it was published, it had been rendered inefficient, by the prevalence of party feelings, and the ascendancy obtained by Mr. Brown, and the *Spanish agents*. Not until the Innes, and Sebastian, explosion of 1805, and which will occupy our attention at the proper place, was it received by the people of the country, with the proper impression, and effect.

It is believed to have made an impression then, never to be eradicated from the minds of honest men, be their general politics what they may.

Here follows the letter :—

“ *New-York, July 10, 1788.*

“ DEAR SIR,

“ An answer to your favor of the 16th of March was

together with several other letters, put into the hand of one of Genl. Harmer's officers, who set out in May last for the Ohio, and who promised to forward them to the District; but I fear that they have miscarried, as I was a few days ago informed that his orders had been countermanded, and that he had been sent to the garrison at West-Point — Indeed I have found it almost impracticable to transmit a letter to Kentucky, as there is scarce any communication between this place and that country. A post is now established from this place to Fort Pitt, to set out once in two weeks after the 20th instant. this will render the communication easy and certain. Before this reaches you I expect you will have heard the determination of congress relative to the separation of Kentucky, as a copy of the proceedings has been forwarded to the District, by the secretary of congress a few days ago. It was not in my power to obtain a decision earlier than the 31 inst. great part of the winter and spring there was not a representation of the states sufficient to proceed in this business, and after it was referred to a grand committee, they could not be prevailed upon to report, a majority of them being opposed to the measure. The eastern states would not, nor do I think they ever will assent to the admission of the District into the union as an independent state, unless Vermont or the province of Main is brought forward at the same time. The change which has taken place in the general government is made the ostensible objection to the measure; but the jealousy of the growing importance of the western country, and an unwillingness to add a vote to the southern

interest, are the real causes of opposition, and I am inclined to believe that they will exist to a certain degree even under the new government, to which the application is referred by congress. The question which the district will now have to determine upon, will be whether or not it will be most expedient to continue the connection with the state of Virginia, or to declare their independence, and proceed to frame a constitution of government.—'Tis generally expected that the latter will be the determination, as you have proceeded too far to think of relinquishing the measure, and the interest of the district will render it altogether inexpedient to continue in your present situation until an application for admission into the union can be made in a constitutional mode, to the new government. This step will, in my opinion tend to preserve unanimity, and will enable you to adopt with effect such measures as may be necessary to promote the interest of the district. In private conferences which I have had with Mr. Gardoqui the Spanish minister at this place, I have been assured by him in the most explicit terms, that if Kentucky will declare her independence, and empower some proper person to negotiate with him, that he has authority, and will engage to open the navigation of the Mississippi, for the exportation of their produce, on terms of mutual advantage. But that this privilege never can be extended to them while part of the United States, by reason of commercial treaties existing between that court and other powers of Europe. As there is no reason to doubt the sincerity of this declaration, I have thought proper to

communicate it to a few confidential friends in the district, with his permission, not doubting but they will make a prudent use of the information, which is in part confirmed by dispatches yesterday received by congress from Mr. Carmichael, our minister at that court, the contents of which I am not at liberty to disclose.

“ Congress is now engaged in framing an ordinance for putting the new government into motion, it is not yet completed, but as it now stands, the elections are to be made in December, and the new congress to meet in February, but it may undergo alteration. Ten states have ratified—this state is now in session—what the result of their deliberations will be, is as yet doubtful; two-thirds of the members are opposed, but ’tis probable they may be influenced by motives of expediency. N. Carolina will adopt—time alone can determine how far the new government will answer the expectations of its friends, my hopes are sanguine, the change was necessary.

“ I fear, should not the present treaty at Muskingum prove successful, that we shall have an Indian war upon all our borders. I do not expect that the present congress will in that case be able to take any effectual measures for our defence. There is not a dollar in the federal treasury which can be appropriated to that purpose. I shall leave this place shortly, and expect to be at the September term. I have enjoyed my usual good state of health, and have spent my time here agreeably. I am, with great esteem, your most humble servt.

“ J. BROWN.

“ *The hon. George Muter.*”

As the examination and exposure of the real objects of this letter, by AN OBSERVER, are believed to have given a proper direction to public opinion, and will have the same good effect in all times to come, we shall insert them, as disquisitions which have our approbation, and which were published in Frankfort, where Mr. Brown resided, without refutation, or even contradiction.

Nor is it any objection to their insertion here, that they were written in 1806; inasmuch as they belong to the letter, and should be its cotemporaries in all times, and places.—They follow:—

“In the progress of investigating important political subjects; it is no less useful, than it is necessary, to take possession of prominent points; to review surrounding objects; and to fix on certain and substantial data, whereon to rest conviction; gratify the understanding; conciliate the judgment; and bottom further discussion.

“Applying this observation, to the history of “The Kentucky Spanish Association,” I have selected the conduct of Mr. John Brown, now of Frankfort, as the first prominent object in the consideration of this very interesting subject.

“And the question to be discussed, is, whether Mr. Brown in 1788, did *intrigue clandestinely and traitorously* with the Spanish minister, for a separation of Kentucky from Virginia and the Union; and for the purpose of connecting it with the Spanish Monarchy?

“And I shall proceed to shew from evidence which cannot be controverted, that Mr. Brown did so intrigue

with the Spanish minister, and for the purposes aforesaid. I begin with a recapitulation of facts.

“ It is a fact, that in 1787 and 1788, Kentucky was a part of Virginia, one of the free United States of America, represented in congress.

“ It is a fact, that in 1787 Mr. Brown was a resident of Kentucky, and sent by the people to the state legislature; there appointed one of the Virginia delegates to congress, and took his seat in that body.

“ It is a fact, that while a member of congress in 1788 Mr. Brown held *private conferences* with the Spanish minister then in New-York; the object of which was to separate Kentucky from Virginia and the union, without their knowledge or consent; as preparatory to a treaty between Spain and Kentucky.

“ It is a fact, that Mr. Brown wrote a number of letters on these subjects to his *confidential friends* in Kentucky, and particularly the letter of the 10th of July, 1788, to George Muter.

“ It is a fact, that Mr. Brown from his official situation, was the sole organ of accredited communication, between the congress and the people of Kentucky.

“ It is a fact, that he endeavoured to impress on the minds of his correspondents here, that there were permanent objections, to the admission of Kentucky, *as a state* into the union.

“ It is a fact, that he represented a commercial treaty between the United States and Spain, for the accommodation of Kentucky, as *wholly impracticable*, while Kentucky remained a part of the union.

“ It is a fact, that he gave it as his unqualified opinion, that a *declaration of independence* on the part of Kentucky was advisable.

“ It is a fact, that he represented the Spanish minister as a man to be confided in, and as having assured him in the most explicit terms, that if Kentucky *would declare her independence*, and empower some proper person to negotiate with him, that he had authority, and would engage to open the navigation of the Mississippi, for the exportation of produce on terms of *mutual advantage*.

“ It is a fact, that Mr. Brown represented, on the same authority, that this privilege of exporting through the Mississippi, *never could be extended to Kentucky while a part of the United States, by reason of commercial treaties existing between that court and the powers of Europe*.

“ It is a fact, that Mr. Brown transmitted these opinions, and assurances, to his *confidential friends* in Kentucky, with the permission of the Spanish minister, not *doubting but that they would make a prudent use of the information*.

“ It is a fact, that at that time Mr. Brown was acting under the constitution of the state of Virginia, which forbids a partition of territory, or the erection of an independent government within her limits, without legislative consent.

“ It is a fact, that at the same time Mr. Brown was acting under the constitution of the United States, which forbids *even a state* from entering into a treaty with a *foreign power*.

“ To preserve these constitutions inviolate, it is not affirmed, that Mr. Brown had solemnly kissed the books, in the form of corporal oath, for I have not time to look up the evidence ; but it is asserted, that by accepting the important trust of a delegate in congress from the state of Virginia, he had pledged his honor and his conscience, to act with good faith, towards both Virginia and the union. •

“ As one obligation of his duty, thus publicly and solemnly pledged, had Mr. Brown discovered an intrigue carried on, by any American citizen or foreigner, although in a private station, for the purpose of dismembering the union, he was bound by more than his ordinary allegiance to disclose it : if such intrigue was with a foreign minister, the representative of a powerful monarch, as the danger was the greater, so in proportion rose the obligation higher. : But Mr. Brown discovered none other ;—*himself became the intriguer.* He forgot the dignity of his character ; the duty of his office ; the loyalty of a citizen ; the integrity of his seat ; the peace of his country ; and the unity of America.—He retired from the august assembly of the states ; from the Senate of United America ; to the closet of a titled slave ; to the bureau of the Spanish minister : and instead of *cherishing union as the first great principle of American liberty and prosperity* ; he descended to an intrigue, for the partition of his native state, and for the dismemberment of the national territory.

Glorious patriot ! his name should be written in letters of gold, and proclaimed with a never-dying echo !!!

“ Had Mr. Brown kept to himself those *private conferences* with Gardoqui, they might have solaced themselves in perspective with the consequences, of a dismemberment of Kentucky from the Union, and their consequent connexion with Spain. Their view might have been gratified, by a reclamation of Kentucky on the one side, and a detention on the other; in short, by all the horrors of war.

“ But this was not sufficient for Mr. Brown, it was not merely for the sake of their nightly orgies that he held these *private conferences*, upon subjects so sacred; for Mr. Brown, after polluting himself, with anti-federal principles; with Spanish connexions; and with treasonable projects; communicates them to his confidential friends in Kentucky—*doubting not but that they would make a prudent use of them.*

“ These confidential friends, it is hoped will in time be ascertained, as they will merit my particular attention. There is good ground to believe that Mr. Brown did not consider Judge Muter as one of his most confidential friends, and that consequently he was much more reserved to him, than to some others. If those others would publish their letters from Mr. Brown, the public would then be possessed of the extent of Mr. Brown's communications. But the letter to Judge Muter is enough for my present purpose, and I do not mean to place any thing on conjecture.

“ Mr. Brown made his communications; now let us see if they were correct. The application of Kentucky for admission into the union, as a state, was made when

the change of the Federal Constitution was in progress. Previous to the 3d of July 1788, ten states had ratified the new constitution; on that day the old Congress declined the admission of Kentucky, and referred her to the new Congress, about to be formed. Upon this Mr. Brown insinuates, that the reason assigned for this measure is not the true one; for that would vanish with the organization of the new government, and Kentucky would of course be received into the union. But Mr. Brown says there is another reason against admitting Kentucky into the union, which will exist under the new government. What is the inference? plainly this. Those who have the power of admission act upon one reason, and assign another. They are insincere, and unfriendly—And they will continue so after the new government takes place. They have rejected the admission of Kentucky into the union, and they will continue to do so. Were these insinuations and opinions bottomed on fact, and correct observations? Were they the secrets of the private conferences which Mr. Brown held with Gardoqui? The experiment proved, that they were not the former: the probability is, that they were the latter. The new constitution took effect, and Kentucky was admitted into the union, without difficulty. But suspicion had been excited, unfriendly sentiments felt, and illiberal jealousies entertained, between the eastern and western parts of the union. These are the necessary forerunners of disunion. If we perceive in Mr. Brown an end, we cannot fail to observe him preparing the means. If he is in favor of the separation of Kentucky

from the union ; we find him setting the proper engines at work, to effect his purposes—Men who should live in mutual confidence and friendship, were taught to suspect, and to hate each other. At this stage in the progress of intrigue, what should we expect, but disunion ? Accordingly we find Mr. Brown recommending a *declaration of independence*, that is, a separation of Kentucky from the parent state, and from the federal union, in violation of the most sacred obligations, and contrary to law, and to the constitution.

“ What are the next objects with which Mr. Brown presents us by his letter ? a foreign nation—a monarchical government—a Spanish minister—ready to receive us ; and with a proper person to enter into a treaty of navigation for export, to mutual advantage.

“ Thirty thousand people were to renounce the benefits of the American union, with their neighbors—their natural connexions—and their political friends—to forfeit their peace—and to incur the terrors of civil war—For what ? Why truly to crown with success the clandestine and traitorous projects of Mr Brown—projects by which Kentucky would have been put out of the union, and completely within the power and controul of Spain.

“ The ostensible object was a commercial treaty with Spain, of *mutual* advantage to Kentucky & Spain, which was unattainable while Kentucky remained a part of the union. But did ever thirty thousand people make a commercial treaty, with twelve millions to *equal* advantage ? Spain, possessing the mouths of the Mississippi, the whole of

one side, and a large portion of the other, would have had the people of Kentucky perfectly within her power.

“ Spain would have regulated the navigation, and the commerce of the country at her pleasure. So says the experience of all ages. But Kentucky could not have retained her independence and enjoyed the free commerce of the Mississippi !! What says Mr. Brown ? He says, that Kentucky could not have this commerce as a part of the United States, by reason of commercial treaties with other powers—that is, Spain had treaties with other powers, which entitled them to the privileges of the most favored nation. If then Spain granted to the U. States as a nation, the right of export and free commerce on the Mississippi, those other nations became by their existing treaties entitled to the same privileges. And this, Spain would not permit—Now apply this to Kentucky as separated from the union, and as an independent nation—Would not a treaty made by Spain with Kentucky in which Kentucky as an independent nation, should be allowed the free navigation of the Mississippi, equally entitle all those other nations with whom Spain had existing treaties, to the free navigation also, as completely as if the treaty had been made with the United States ? Most assuredly it would. Most assuredly the United States as to Spain was but one nation. Kentucky, as an independent nation, could not have been less than one. The same treaties therefore which prevented Spain from yielding the navigation of the Mississippi to the United States would equally prevent her from yielding it to Kentucky as an independent state. Mr. Brown

presents this dilemma—Kentucky, separated from the union, was not to be independent of Spain : as she was not to have the free navigation of the Mississippi, but as a dependent on Spain. As a colony, or province of the Monarchy, Kentucky would present no difficulty, on account of existing treaties. For Spain had no treaty which restrained her from permitting her own subjects the free navigation of the river.

“ These considerations are well deserving the serious attention of the people of Kentucky. They merit the closest examination. For if there be not a fallacy in them, they demonstrate the most perfect conspiracy, not only against the United States, but against the political independence of this country.

“ The anxiety of the people of Kentucky to obtain the navigation of the Mississippi were the hook, and line, by which they were to have been caught & led to their national degradation ; and to the forfeiture of that, which should be the pride & passion of every American citizen—the right of self-government. What could induce Mr. Brown to countenance propositions of so atrocious a nature ; and to cherish schemes for the subversion of the liberties of his country, if personal aggrandisement was not the object ? Was a title and a pension to have been the reward of his treachery ? Could a star and ribbon have consoled him for the execrations of those he betrayed ? For designs which are pursued, and for actions which are deliberate—we want a motive—What was Mr. Brown’s ? Had he no motive of self-interest ? Had he no ill-design ? Was he innocent ? Was he the mere dupe of the Span-

ish minister ? Did he not foresee the consequences which had arranged themselves in the train of his measures ? I will not undertake to solve these questions ; but I will investigate other facts that are before me, anon.

“ AN OBSERVER.

“ Sept. 10th, 1806.”

After the receipt and exhibition of this, and similar letters, and after reflections upon the proceedings of the July convention, and the conduct of the leaders, the opinion of an existing intrigue between certain citizens of Kentucky, and the agents of the Spanish government, was now confirmed. General Wilkinson, and Jo. Brown, were more than suspected. They were pointed out as persons concerned. That they had coadjutors in Kentucky, was not doubted. It was now recollected, that Wilkinson had given rise to a rumour that he had in that year, sent dispatches to Orleans, from whence he had received responses, favorable to his views—commercial they were said to be—and this mercantile curtain served to conceal the contemplated Treason, from public view, and from open, and successful scrutiny. The following testimony has been given by a resident of Orleans at the time, and whose peculiar situation placed the facts detailed within his knowledge. “ General Wilkinson, had migrated as he says, to Kentucky some years before, being then, as we learn from the same source, in moderate, if not in indigent circumstances ; in the year 1787 he planned and executed the project of opening a trade between the western country, and New-Orleans, seconded by some

merchants of that city. He impressed the government with an high idea of his influence in Kentucky, and used means, (which in his own language, it would not be *necessary* nor *obligatory*, nor HONORABLE to detail) in order to procure for himself the exclusive trade between Kentucky and New-Orleans."——Again, "This transaction was in 1787—for some time he had been trading in partnership with Isaac B. Dunn; on the 3d of August 1788, Wilkinson and Dunn, entered into articles of partnership with Daniel Clarke of New-Orleans, for their mutual benefit in trade."

These documents present us with two distinct engagements, into which general Wilkinson had entered at New-Orleans; one with the government, by which he had obtained the exclusive privilege, of trading to that port; and to obtain which he had used means, not *necessary* nor *obligatory*, nor HONORABLE to be disclosed: The other, merely commercial, and which as usual was committed to a formal contract. This double plot, it was, which perplexed the best informed men of Kentucky, at that day; enabled Wilkinson, to carry on his intrigue; and finally, to escape the punishment due to his perfidy! Without meaning to violate the rules of cronology, or to anticipate our evidence, we may be permitted to remark, the correctness of which will be attested by the observation of common sense, and confirmed in the sequel of this history; "that, what belongs to guilt, assumes secrecy; that, the transaction of the intriguer, affects concealment; which innocence disdains, and

which the mercantile transactions, of general Wilkinson did not require." For in Kentucky, his commerce was a subject of exultation on his part, and of applause on the part of the people—at Orleans, it was founded on the permission of the government ; whence he had nothing to fear. But with that government he had transactions, which were cloathed in mystery, and conducted in secrecy, which are the never-failing appendages of guilt.

It is to be confessed that subsequent events, and evidence derived from coadjutors, who were then concealed have thrown much light on the transactions of 1788 ; which at that time were hid from public view, by the masks of the different agents.

At the July convention in 1788 the Spanish party, in a manner became organised. The most of them met face to face, they convened together, on the subject of declaring Kentucky independent, and organizing government, separate and distinct from the union. They became acquainted with each others opinions, and they acted in concert, as men having in view a common object, which required their joint efforts ; without any express stipulation as to the means, or specific contract as to contribution.

Harry Innes, then the attorney general for the district of Kentucky, in one of the *caucuses* held on the subject of independent, organized government, without the sanction of law, and in violation of it, said "it will do"—"it will do"—and paced the room for joy, as if in a proposition to commit treason, he had discovered a new moral excellence.

In the spring of the same year, he had selected a trustworthy hand, with circumstances of much caution, to carry General Wilkinson's secret dispatches to the governor of New Orleans. And we have seen that in his letter to the Governor of the commonwealth, under date of the 21st of July 1787, he gave it as his decided opinion, that the western country would in a few years act for itself "and erect an independent government." And we have since seen from his own deposition, what extensive outspreading branches, have sprung from these seeds of disloyalty, and corruption, in connection with Sebastian, and Power, *the pensioners*, of Spain.

Nevertheless, to this day, it is matter of doubt whether the head, or the heart, of this man, is most to be pitied, censured, or despised. Some suppose him, not only weak in judgment, but corrupt in principle—while others think, that the weakness of his intellect, the prevalence of his vanity, and the importance of his office, exposed him to flattery, and made him an object to be caught, which Wilkinson laid his hands on, and played upon, for his own indemnity. For it would have been as utterly impossible, for the ATTORNEY GENERAL, to have prosecuted, a *Spaniardised insurgent*, as it was for the same officer, to prosecute those who violated a treaty with the Indians. His uniform adherence to Wilkinson, Sebastian, and Brown, are so many evidences of his being of the party, and which led him to the intrigues in which he was afterwards concerned with the Spanish agents, whose object was a severance of the union, as fully disclosed on the trial of Sebastian.

In the perplexity of congress to enforce its treaties with the Indians, either on the one side, or the other, it was resolved on the 1st of September 1788,

“ That the secretary at war be, and he is hereby directed to have a sufficient number of troops in the service of the United States in readiness to march from the Ohio to the protection of the Cherokees, whenever congress shall direct the same ; and that he take measures for obtaining information of the best routs for troops to march from the Ohio to Chota, and for dispersing all the white inhabitants settled upon or in the vicinity of the hunting grounds secured to the Cherokees by the treaty concluded between them and the United States, November 28th, 1785, agreeably to the proclamation of congress of this date.

“ Resolved, That copies of the said proclamation, and of these resolutions, be transmitted to the executive of Virginia and North-Carolina, and that the said states be and they are hereby requested to use their influence that the said proclamation may have its intended effect to restore peace and harmony between the citizens of the United States and the Cherokees, and to prevent any further invasions of their respective rights and possessions ; and in case congress shall find it necessary to order troops to the Cherokee towns to enforce a due observance of the said treaty, that the said states be, and they are hereby requested to co-operate with the said troops for enforcing such observance of that treaty.”

These resolutions being published in Kentucky, furnished new means to the disaffected to inflame the public mind against congress, and to spread existing suspicions as to the policy of the atlantic states in relation to the western country. But the expectation of a legal separation enabled the well disposed to preserve the public peace.

CHAPTER IX.

CONTENTS OF CHAPTER IX.

Proceedings of the convention of Nov. 1788—General Wilkinson's memorial—incidents of Indian hostility—resolution offered by Wilkinson, its object—application to Virginia for act of separation—its passage and variation from former acts—Spanish conspirators—their conduct—the parties—and their leaders—addresses to congress, and the legislature—treaty with the Indians—rumors that General Washington, would be made president—Colonel Marshall communicates with him on the state of the district—the Spanish, and British intrigue—government takes steps to defend the frontiers.

HAVING detailed the result of the convention of July 1788, and exposed the intrigue of Gardoqui and Brown, we are now to narrate the transactions of November, in the same year.

The 3d of the month being appointed for the meeting of the convention, on the 4th, there was a quorum ; on

the 5th, it proceeded to consider the important objects of its meeting ; whereupon the resolution of congress on the subject of separation, &c. and several other papers, were referred to a committee of the whole ; into which the convention was immediately resolved, and Mr. Wilkinson called to the chair.

The discussion soon led to an enquiry into the powers of the convention ; it was now ascertained that the resolution of the former convention on the subject of its powers, had not been referred to the committee. This occasioned the committee to rise, in order that such reference should be made. Already the leaders of the two parties had discovered themselves ; those who were determined on the regular course of obtaining a separation, and an independent state, with the assent of Virginia, and of congress, thought the subject fully before the committee, on the resolution of congress, &c. and made some opposition to the proposed reference, as unnecessary, and as proposing no specific object. Wilkinson was in favor of the reference. He was laborious in the display of the different subjects embraced in it, and dwelt with particular pathos on the importance of the free navigation of the Mississippi, to the people of Kentucky. A subject which he remarked was not before the committee of the whole, although by its interest, and magnitude entitled to the first place in their deliberations. He was ambiguous as to the proper course to be pursued in order to obtain its use ; nor was this the time to propose it, as he observed.

Spain, had objections to granting the right of navigating the river to the United States ; it was not to be presumed that congress would obtain it for Kentucky, or even the western country, only : There was one way, and but one, of obviating these difficulties ; but that way was so fortified by constitutions, and guarded by laws, that it was dangerous of access, and hopeless of attainment. It was the certain, but proscribed course, which had been indicated in the former convention, which he would not now propose, but which every gentleman present would connect with a declaration of INDEPENDENCE, the formation of a constitution, and the organization of a new state. Which might safely be trusted to find its way into the union, on terms advantageous to its interests, and prosperity.

He expatiated on the prosperous circumstances of the country—its increasing population, its rich productions, and its imperious claims to the benefits of commerce.

That the same difficulties did not exist on the part of Spain, to concede to the people on the western water the right of navigating the river,—which she had to a treaty with the United States, there were many reasons for supposing. That there was information of the first importance on that subject within the power of the convention, which he doubted not it would be equally agreeable for them to have, and for the gentleman who possessed it, to communicate.

The orator seated himself, and all eyes were turned on Mr. Brown, then a member of the convention, as well as

of congress. Some member, desired the gentleman, would communicate what he knew on the subject.

He, with all the mysterious gravity of one possessed of more than Delphic inspiration, and ready to deliver the oracles of fate, rose, and said—

“That he did not think himself at liberty to disclose what had passed in *private conferences* between the Spanish minister, Mr. Gardoqui, and himself; but this much in general, he would venture to inform the convention, that, *provided, we are unanimous, every thing we could wish for, is within our reach.*”

This response so truly oracular, although a confirmation of what the General had said, did not appear to be satisfactory, either to him, or the convention. Again he rose, and as if impatient, for the further information of the convention, as for the greater display of his own knowledge, and talents; and yet more anxious to make a strong impression on the minds of his audience, as to the importance of the Mississippi navigation, said, it was a subject he had much at heart, that he had some practical knowledge of the utility of a commerce with Orleans, and ever desirous of imparting his information as of sharing his profits, for the general good, he would with submission read an essay on the navigation and commerce of the Mississippi. He paused—and the reading was called for. No doubt, by previous concert.

The manuscript was now produced; it occupied some fifteen, or twenty, sheets of paper. The reading commenced, and as it progressed each sheet was delivered, to Mr. Sebastian, then known as one of the general's

particular friends, and since, as a PENSIONER of Spain. It was addressed to the, INTENDENT OF LOUISIANA. As the contents of this essay belong to history, it is a gratification, that we can give a faithful transcript from the notes of one of the members of the convention.

“ The author urges the natural right of the western people, to follow the current of rivers flowing through their country, into the sea, the great common and highway of nations. “ He states the extent of the country, the richness of the soil—the quantity, and variety of its productions, suitable for foreign markets, to which there are no avenues of conveyance, should the Mississippi continue shut to their export. “ He states the advantages which Spain, would derive from allowing the free use of the river, to those, *on its various waters*, by the increase of revenue and resources.

“ He states the population to be rapidly increasing, and that each individual looked forward to the free navigation of the Mississippi, with the utmost solicitude.

“ He states the general abhorrence with which the people of the western waters received the intelligence, that congress was about to cede to Spain, the exclusive right of navigating the river for twenty-five or thirty years.

“ He represents it as a fact, that the *western people*, were on the point of separating themselves from the union forever, on that account: considering that navigation indispensable to their future growth, and prosperity.

“Having amplified these points, he next addresses himself to the fears of his catholic majesty’s Vice Roy by a pompous display of the force of the country—and presses the idea that should Spain be so blind to her true interest as to refuse the use of the river to the *western people*, and thereby compel a resort to arms for its attainment, that Great Britain stands with her arms extended, ready to receive, and co-operate with them, in their efforts for the accomplishment of this great and favorite object. And the more effectually to enforce this representation, he quotes a conversation which he had, a few years before with a member of the British house of commons to that effect.

“He states the facility with which the Spanish province of Louisiana may be invaded by the united forces of Britain, and America, by means of the river Illinois—and the practicability of proceeding from thence to their province of New-Mexico.

“That the whole Spanish possessions in north America would be endangered, should the British, who already held the mouth of the St Laurence, possess themselves of the mouth of the Mississippi, and thereby command the interior, by holding these grand portals, into the northern continent. These subjects are amplified in the manner of the general. And he concludes the whole with an apology for the freedom with which he had treated the subjects of this essay; and which had been drawn from one whose *head* might err, but whose *heart* could not deceive.”

The reading being finished, the resolution in question was ordered to be referred to the committee of the whole, that it might have the subject of the Mississippi within the scope of its consideration.

It is believed that Gen. Wilkinson, had composed an essay on the commerce of the Mississippi, soon after he decided on seeking his fortune in the market of New Orleans—that it was taken with him in 1787, as no inconsiderable part of his cargo. There can be no doubt that the subject, was canvassed between him and the INTENDANT, whence they came to understand each other; and that subsequently this essay was revised, with a view of its being sent to the court of Spain, as a first fruit of his catholic majestys new subject; which probably did not take place, until 1788. At which time a special messenger was sent from Kentucky to Orleans, with dispatches from Wilkinson, to the Spanish governor, and probably this paper among others.

This essay had merit for the views it combined of the relative interests of the countries on the waters of the Mississippi. Its being addressed to the INTENDANT, and sent to the Spanish court with Wilkinson's approbation, instead of its being addressed, and sent to the congress of the United States, shew conclusively the bias, and the aim of its author. This it may be presumed without any violation of probability, was the foundation on which he obtained his pension, hereafter to be further noticed.

The Spanish party in the convention caught at the reference of the subject of navigation to the committee

of the whole, as a most favorable indication of the disposition of the convention: and as an earnest of final success.

To elucidate their real views, we have to recur to the half developments, and mysterious concealments of Mr. Brown, in the convention. And here again we shall avail ourselves of the disquisition of AN OBSERVER.

“ If those who have witnessed the effects of the rain, hail, and thunder, of the natural storm, can so soon forget its terrors, and its ravages, as to enjoy ease, in the succeeding calm; it is no wonder that the people of Kentucky should look back with composure upon the political hurricane which some years since passed in review, over the civil horizon, of their country.

“ Yet it is believed, that they are not insensible to the danger with which they were threatened, by the *criminal intrigues* of Mr. John Brown, and others; or that they can review with indifference the conduct of those who would have exposed them to the crime of high treason, to the penalties of criminal prosecution, or to the distressing calamities of domestic and foreign war.

“ That we may have a proper view of these subjects, I will cite a law of Virginia which passed in 1785, and which was in force in 1788, entitled, “ An act punishing certain offences, and vesting the governor with certain powers.”

“ Section 1st. Whereas, it is the true interest and policy of this commonwealth, that the constitution, sovereignty, and independence thereof should at all times be maintained, and supported, and it is *highly criminal*

in any *person or persons*, to alienate the citizens of the state from their attachment and allegiance to the same.

“ Sec. 2d. Be it therefore enacted by the general assembly, that every person or persons, who shall erect or establish, or cause and procure to be erected and established, any government separate from, or independent of the government of Virginia within the limits thereof, unless by an act of the legislature of this commonwealth for that purpose, first obtained ; or who shall in any such usurped government, hold or execute any office legislative, executive, judicial, or ministerial, by whatever name such office may be distinguished, or called ; or who shall swear, or otherwise solemnly profess allegiance, or fidelity to the same ; or who shall under pretext of authority derived from, or protection offered by such usurped government resist, or oppose the due execution of the laws of this commonwealth, shall be adjudged guilty of high treason, and shall be proceeded against and punished by the laws now in force.

“ Sec. 3d. And be it further enacted, that every person who shall attempt to establish such government by any other means than with the assent of the legislature of this commonwealth, and in pursuance of such attempts, shall join with any other person or persons in any overt act, for promoting such attempts, or who shall by writing, or advised speaking, endeavor to instigate the people of this commonwealth to erect, or establish such government without such assent as aforesaid, shall be adjudged guilty of a high crime, and misdemeanor, and on conviction shall be subject to such pains and penalties

not extending to life or member, as the court before whom the conviction shall be had, shall adjudge.

“Sec. 4th. And it be it further enacted, that in case any combination to establishing such government shall become so powerful as to obstruct the due execution of the laws of this commonwealth, in the ordinary course, of proceeding within any county or counties thereof, it shall and may be lawful for the governor with the advice of the council to call out the militia of the state to suppress such combination, and to employ them in the manner as he may do by law in cases of invasion or insurrection.”

“Thus we see, what was the sense of Virginia with respect to the erection of *independent government*, within her limits, and without her previous consent, obtained for that purpose. We see her sense of high crimes, and misdemeanors, inferior to high treason. We see that in case any combination for the purpose of establishing such government, had become so powerful as to obstruct the due execution of the laws of Virginia, (which must have been the case if Kentucky had been declared independent, as Mr. Brown advised,) that the governor was authorised to call out the militia of the state, *that great Palladium of liberty, and defence of a free country*, and to have employed it, as in case of *invasion or insurrection*. And who can doubt but that the governor would have done his duty? Who can imagine that the state of Virginia, and the United States, would have permitted, *peaceably*, a dismemberment, of their territory, and the erection of a separate and hostile state, upon their fron-

tiers ? What Virginian was there on the eastern side of the Cumberland mountain, who would not have been roused by a sense of the indignity, the injury, and the danger, to the parent state, by permitting such a measure to take effect ? It is believed there was none. Hostilities therefore would have been the consequence.

“ Thus do we see Mr. Brown, the citizen of Kentucky, the delegate in congress from Virginia, the confidential agent of the people ; sowing the seeds of discord, hatching conspiracy, and brooding over treason, in conjunction with the Spanish minister in New-York.

“ Mr. Brown announces his return to Kentucky ; and accordingly, he attends the convention in the fall of the year 1788.

“ He was there called on to give such information respecting our affairs at congress, as might be proper for the convention to know. He told the convention that he did not think himself at liberty to mention what passed in private conversation between Don Gardoqui and himself, respecting the people of Kentucky ; but this much in general he would venture to inform the convention, “ that provided we were unanimous, every thing we could wish for, is within our reach.”

“ Unanimous, about what ? Why in favor of a *declaration of independence*. Mr. Brown, in his letter to Judge Muter, had said that in his opinion a declaration of independence, would tend to preserve *unanimity*, and enable Kentucky, to adopt with *effect*, such measures as might be necessary to promote the interest of the district. It was then, *unanimity* in the *declaration of independence*,

which Mr. Brown suggested as the ground work, for obtaining from Spain, whatever we should wish.

“Thus it follows by unavoidable inference and conclusion, from premises furnished by Mr. Brown himself; that he was in favour of a *declaration of independence*, —That is, in plain terms, for a violent separation from Virginia, and the United States, contrary to their assent, and to law.

“No wonder, that Mr. Brown was cautious in the convention; no wonder that he had *qualms of delicacy* as to his *private conferences* with Gardequi; he saw men in the convention who were opposed to separation from Virginia on any terms—he saw others, and some of the most respectable, who were in favor of a *legal*, and *regular* separation from Virginia, and connection with the union; others there were indeed, who concurred with him, but who were opposed by both the other classes. The man who had contrived the *sliding* letter to Col. M'Dowell, though not always known as an *enemy to his country*, had been remarked as a man of *caution*. And if any surprise should be excited by his conduct, it must be, that even to his confidential friend, Judge Muter, he so far, and so freely, unbosomed himself. We see a scheme formed; a system developed for dismembering Virginia; deserting the union of the states; and forming a connection with Spain. A connection too, which must in its arrangement have degraded Kentucky, to the condition of a *Spanish dependency*.

“For, says Mr. Brown, and it cannot be too often repeated, until it is fully understood, Kentucky must de-

clare herself *independent of the United States*; for as a part of the United States, she never can have the navigation of the Mississippi; *by reason of commercial treaties existing between that court, and other powers of Europe.* And why? Because those other powers, were entitled to the privileges of the most favored nation.

“If therefore the *U. States* should be allowed to navigate the rivers in a Spanish colony, as the Mississippi, for example, then by virtue of these treaties, those European powers, would be allowed the same right. *And this Spain never will permit.* Well, how is this difficulty to be gotten over, with respect to Kentucky? Why, Kentucky is to acknowledge the supremacy of Spain, take protection under her banners, and then she may navigate the Mississippi as another Spanish subject, without entitling any other nation, by any treaty to that privilege. Thus we see the independence which Mr. Brown desired, was of the Union; not of *Spain*. For the navigation of the Mississippi, a thing admitted to be wholly in the power of Spain, was the great ostensible object; and the moving principle in the management of this plot. But the last necessary mean of obtaining this navigation, the *subjection to Spain*, was carefully kept out of sight. It was like the slip of paper in Col. M'Dowell's letter. It was not for the sight of common people; it was to be seen only, by the *favoured few*, by those who could be *confided in*, by those *initiated* into the *holy misteries of treachery*, at home, and subjugation abroad. The decisive step once taken—the *declaration of independence* once made—We have

seen that Virginia, and the United States, were bound by duty, and by interest, to reduce us to our former situation, by all the powers of government, and the military force necessary for the purpose.

But what would Kentucky have done? Let us recur to the motive which induced the declaration of independence; let us recollect it was for the purpose of obtaining the navigation of the Mississippi; let us reflect that this object was in the possession of the Spaniards—and can it be doubted what Kentucky would have done, under the influence of those men, who had advised and led her into the measure? No; Kentucky would have resorted to her physical strength, and to her military resources; she would have called in the aid of the *Spanish Monarchy*; and to obtain it, and the navigation of the river, she must have put herself under *Spanish protection*. Are not these inferences probable; nay, are they not certain from the premises? Were they not foreseen by Mr. Brown, and those who forwarded his projects? Mr. Brown was thought a man of talents, a man of sagacity, a lawyer, a politician: was his plot but half formed, had he projected the *treason*, without providing a retreat for the *traitor*? Had he intended only the commission of a crime, and the disgrace of punishment, for himself and the people of Kentucky? This seems hardly probable: or had he matured the whole scheme with Don Gardoqui; and was it this, which *his delicacy* would not permit him to relate in the convention? We can hardly impute to Mr. Brown, less than an entire system—To say that he would advise a declaration of independence

merely, without devising the means of rendering it effectual, would be doing injustice to his reputation for political knowledge, would be degrading him in the eyes of his fellow citizens, and exposing him to common, and vulgar derision. To avoid this, I am constrained to attribute to him, the formation or adoption of a whole and practicable plan of separation: a view of the end, and of the means. And in this it is impossible to omit an alliance with Spain, on terms of concesssion, *degrading to a free people.*

“After the conduct of mr. Brown, his relations and friends; after what has been said in private, and in public, of those who have dared to countenance the report of his *clandestine*, and *treasonable* conduct, while a member of Congress; I deem him a subject worthy of public attention: I deem it important to the people of Kentucky of whom, I am one, that the conduct of mr. Brown, should be thoroughly scrutinised, and publicly exposed, in order that they may award him a verdict according to his deserts. I am not his accuser, but I am ready to say, that the accusation is but an act of public justice; that the advocates of mr. Brown, are desired to subtract from the charges here repeated, or illustrated, all that is not proved; and that the residue is sufficient to fix forever, with a *loyal people*, the stamp of *treachery* on his name.”

The party were closely observed—and it now became necessary to counteract their designs. This was in part done upon the introduction of two petitions from persons resident in Mercer, and Madison Counties, praying

that a spirited and manly address be sent to Congress, to obtain the navigation of the Mississippi. Harry Innes, who was one of the members from Mercer, and a sort of patron for the other County, it is believed had received, and of course presented these petitions. He, no doubt thought, as they related to the navigation of the Mississippi, they might be made subservient to the main design, *of immediately organizing a new state*; without adverting to the ease with which they could be made to defeat that project for the present, by pursuing the loyal course indicated in them, for attaining their object. Or the Spanish party might not be averse, to an address going on to congress, upon the subject of the navigation, from a conviction that the right of using the river, would not be conceded by Spain to that body: and in the full hope and expectation that the disappointment would irritate the people, and contribute to alienate them from the union; and thus become subservient to the same end in future, should it fail of a present attainment.

The other side of the house were satisfied with the discharge of their own duty, with the constitutional course pointed out by the petitions; and with a conviction that congress would obtain the use of the river as soon as practicable. Both parties concurred in referring the petitions—soon after which a resolution was reported, and ordered to lie on the table.

This moment was seized to call up a resolution, “which had been offered by Mr. Edwards, and seconded by Mr. Marshall, for appointing a committee to draw up a decent and respectful address to the assembly

of Virginia, for obtaining the Independence of the District of Kentucky agreeably to the late resolution and recommendation of congress." The call was agreed to; and a committee appointed consisting of the two gentlemen above named, Mr. Muter, Mr. Jouett, Mr. Allen, and Mr. Wilkinson.

This may be considered as a leading, and decisive feature in characterising the proceedings of this convention. It marked its disposition with loyalty, and taught the Spanish party, what they were to expect, as the result, of further deliberations.

Wilkinson, was the only man of this party, on the committee. The other members were for obtaining the desired separation in the way prescribed by the constitution, and laws. Nor had the general the temerity openly, and avowedly to oppose that course. He had satisfactorily, to his own judgment, ascertained that the state of public opinion would not bear him out in openly pursuing the views taken in the preceding convention, and he was too profound a politician, to offer a scheme of disloyalty, and treason, which he was certain would be overruled by his colleagues, and could only, result in disappointment and disgrace to himself, and his adherents. The same conviction of public opinion was necessarily applied to all the objects of this convention. The timely activity of Colo. Crockett, in obtaining signatures, to a remonstrance against, a violent separation, contributed not a little to this conviction. To attain the navigation of the Mississippi, by a direct treaty

with Spain was a proposition too hazardous to be made at that time, and place.

On the 6th of the month, the resolution on the petitions from Mercer and Madison, was taken up, the petitions voted reasonable, and a committee ordered to draw up the address to congress. Mr. Wilkinson, Mr. Marshall, Mr. Muter, Mr. Brown, Mr. Sebastian, and Mr. Morrison, were appointed.

Mr. Edwards, reported an address to the Legislature of Virginia, on the subject of separation; an amendment being offered the subject was postponed. By some, this postponement was believed to have been a manoeuvre.

On the 8th, Mr. Wilkinson offered the following preface, and resolution.

“Whereas it is the solemn duty, so it is the ardent desire of this convention, to pursue such measures as may promote the interest and meet the approbation of their constituents, but the discordant opinions which at present divide the good people they represent, render it doubtful whether they can adopt any plan which will embrace the opinions of all, or even secure the support of a majority—in this state of embarrassment, perplexed with doubts, and surrounded by difficulties, in order to avoid error, and to attain truth, to remove the jealousies which have infected society, and to restore that spirit of harmony and concord, on which the prosperity of all depends; they deem it most eligible to address their constituents on the momentous occasion. Therefore,

Resolved, that a committee be appointed to draft an address to the good people of the district, setting forth

the principles from which this convention act ; representing to them their true situation, urging the necessity of union, concord and mutual concession, and solemnly calling upon them to furnish this convention, at their next session, with *instructions* in what manner to proceed, on the important subject to them submitted ; and a committee was appointed, of mr. Wilkinsoen, mr. Innes, mr. Jouett, mr. Muter, mr. Sebastian, mr. Allen, and mr. Caldwell."

Unless the object of this resolution was to get the subject of Independent Government again before the people, and by playing upon their fondness for the navigation of the Mississippi, and their fears that Congress did not mean to obtain it for them, but to cede it to Spain, and by these means gain instructions, from them to the convention, to declare, *the District at once Independent, and organize government*, it is difficult, if not impossible to ascribe to it any rational meaning. For if a separation in the legal course, was desired, public opinion, was sufficiently ascertained on that point ; and it appeared that a majority of the convention, had already manifested a determination to pursue that course. As to the distraction, supposed to exist in public opinion, it had been produced principally, if not solely, by the project, of irregular, and clandestine separation ; originated with the general himself, or mr. Brown.

The concord, and unanimity recommended, was not necessary to attain a regular and constitutional separation ; because, for that purpose the people were already sufficiently agreed, and united.

On the 10th Mr. Wilkinson reported the address to Congress, which was agreed to, as follows—

“ To the United States, in Congress assembled.”

“ THE people of Kentucky, represented in convention, as freemen, as citizens, and as a part of the American republic, beg leave, by this humble petition to state their rights, and call for protection in the enjoyment of them.

“ Fathers!—Fellow-citizens!—and Guardians of our rights!—As we address you by the endearing appellation of fathers, we rely on your paternal affection to hear us; we rely on your justice, as men and citizens, to attend to the wrongs done men and citizens; and as a people recognized by the solemn acts of the union, we look for protection to the federal head.

“ When the peace had secured to America that sovereignty and independence for which she had so nobly contended, we could not retire, with our atlantic friends to enjoy in ease the blessings of freedom. Many of us had expended, in the struggle for our country's rights, that property which would have enabled us to possess a competence with our liberty.

“ On the western waters the commonwealth of Virginia possessed a fertile but uninhabited wild.

“ In this wilderness we sought, after having procured liberty for our prosperity, to provide for their support.—Inured to hardships by a long warfare, we ventured into almost impenetrable forests, without bread or domestic cattle—we depended on the casual supplies afforded by the chase; hunger was our familiar attendant, and even

our unsavoury meals were made upon the wet surface of the earth, with the cloud-deformed canopy for our covering.—Though forced to pierce the thicket, it was not in safety we trod; the wily savage thirsted for our blood; lurked in our paths, and seized the unsuspecting hunter. Whilst we lamented the loss of a friend, a brother, a father, a wife, a child, became a victim to the barbarian tomahawk: instead of consolation, a new and greater misfortune deadened the sense of former afflictions. From the union we receive no support—but we impeach not their justice. Ineffectual treaties, often renewed, and as often broken by the savage nations, served only to supply them with the means of our destruction. But no human cause could controul that Providence, which had destined this western country to be the seat of a civilized and happy people. The period of its accomplishment was distant, but it advanced with rapid and incredible strides. We derive strength from our falls; and numbers, from our losses; the unparalleled fertility of our soil made grateful returns, far disproportioned to the slight labour which our safety would permit us to bestow. Our fields and herds afforded us not only sufficient support for ourselves, but also for the emigrants who annually double our numbers, and even a surplus still remains for exportation. This surplus would be far greater, did not a narrow policy shut up our navigation, and discourage our industry.

“In this situation, we call for your attention. We beg you to trace the Mississippi from the ocean—survey the innumerable rivers which water your western terri-

tory, and pay their tribute to its greatness—examine the luxuriant soil which those rivers traverse: then we ask, can the God of wisdom and nature have created that vast country in vain? was it for nothing that he blest it with a fertility almost incredible? Did he not provide those great streams which empty into the Mississippi, and by it communicate with the Atlantic, that other nations and climes might enjoy with us the blessings of our fruitful soil? View the country, and you will answer for yourselves. But can the presumptuous madness of man imagine a policy inconsistent with the immense designs of the Deity? Americans cannot.

“As it is the natural right of the inhabitants of this country to navigate the Mississippi, so they have also the right derived from treaties and national compacts.

“By the treaty of peace, concluded in the year 1763, between the crowns of Great Britain, France and Spain, the free navigation of the river Mississippi was ascertained to great Britain: the right thus ascertained, was exercised by the subjects of that crown, till the peace of 1783, and conjointly with them by the citizens of the United States.

“By the treaty, in which Great Britain acknowledged the independence of the United States, she also ceded to them the free navigation of the river Mississippi. It was a right naturally and essentially annexed to the possession of this western country. As such it was claimed by America, and it was upon that principle she obtained it: yet the court of Spain, who possess the

country at the mouth of the Mississippi, have obstructed your citizens in the enjoyment of that right.

“If policy is the motive which actuates political conduct, you will support us in this right, and thereby enable us to assist in the support of government. If you will be really our fathers, stretch forth your hands to save us. If you would be worthy guardians, defend our rights. We are a member that would exert any muscle for your service. Do not cut us off from your body. By every tie of consanguinity and affection, by the remembrance of the blood we have mingled in the common cause, by a regard to justice and policy, we conjure you to procure our right.

“May your councils be guided by wisdom and justice, and may your determinations be marked by decision and effect. Let not your beneficence be circumscribed by the mountains which divide us; but let us feel that you are really the guardians and asserters of our rights: then you will secure the prayers of a people, whose gratitude would be as warm as the vindication of their rights will be eternal; then our connection shall be perpetuated to the latest times, a monument of your justice, and a terror to your enemies.”

This is the General's composition, and here it may be said, he not only brings out his stores of historical knowledge, but sports his fancy over a subject, grown quite familiar. He knew that in the present state of things, however anxious congress might be to obtain the right of navigating the Mississippi; that it would be withheld by Spain, to whose former stock of motives, for such con-

duct, the General and Mr. Brown, had superadded others. But when this address was published to the people on the *western waters*, it would stir up and inflame their feelings, as much in favor of the author, as against the congress, in the certain event of Spain's withholding the right of navigation.

The same day Mr. Wilkinson also reported, an address to the people; conformable to the resolution on that subject, which was referred to a committee of the whole convention. As no further notice appears on the journals, which we have seen, of this address, nor the address itself, we infer that it never came to maturity; but was stifled—by the address to the legislature, which was now finally acted on; and is inserted, rather as an example of perseverance, than as offering any new matter upon an old subject.

To the Honourable the General Assembly for the Commonwealth of Virginia.

“GENTLEMEN,

“THE representatives of the good people inhabiting the several counties composing the district of Kentucky, in convention met, beg leave again to address you on the great and important subject of their separation from the parent state, and being made a member of the federal union.

To repeat the causes which impel the inhabitants of this district to continue their application for a separation, will in our opinion, be unnecessary. They have been generously acknowledged and patronized in former Assemblies; and met the approbation of congress,

whose consent was necessary towards the final completion of this desirable object, and who resolved that the measure was expedient and necessary, but which from their peculiar situation, they were inadequate to decide.

“As happiness was the object which first dictated the application for a separation, so it has continued to be the ruling principle in directing the good people of Kentucky to that great end, upon constitutional terms, and they conceive the longer that measure is delayed, the more will they lie exposed to the merciless savage, or (which is greatly to be feared) anarchy, with all the concomitant evils attendant thereon.

“Being fully impressed with these ideas, and justified by frequent examples, we conceive it our duty as freemen, from the regard we owe to our constituents, and being encouraged by the resolutions of Congress, again to apply to your honorable body, praying that an act may pass at the present session, for enabling the good people of the Kentucky district, to obtain an independent government and be admitted into the confederation, as a member of the federal union, upon such terms and conditions as to you may appear just and equitable; and that you transmit such act to the president of this convention with all convenient dispatch, in order for our consideration and the final completion of the business.— This we are emboldened to ask, as many of the causes which produced former restrictions, do not now exist.— Finally, relying on the justice and liberality of your honorable house, so often experienced, and which we are

ever bound to acknowledge, we again solicit the friendly interposition of the parent state, with the congress of the U. S. for a speedy admission of the district into the federal union and also to urge that honorable body, in the most express terms, to take effectual measures for procuring to the inhabitants of this district the free navigation of the river Mississippi, without which the situation of a large part of the community will be wretched and miserable, and may be the source of future evils.

“Ordered that the president sign and the clerk attest the said address, and that the same be enclosed by the president to the speaker of the house of delegates.”

The friends of General Wilkinson obtained for him the thanks of the convention for his essay on the navigation of the Mississippi. His adherents were pleased to stick this new plume in his cap ; while it was conceded on the other side, as an harmless ensign, by which to know the character of his fidelity, to his own government.

The convention now take measures to renew their meeting if necessary, and adjourn until the first Monday in August, ensuing.

Tranquility appeared to be restored to the public mind ; for the people were strongly disposed by their habits, as well as by a moral conviction of its propriety, to pursue the regular, legal course of obtaining from government, the independence, they sought.

It is believed that the result of the calculation of Wilkinson, and his party, was a full persuasion, that the time was not favorable to the accomplishment of their project, and that dissimulation, which with such charac-

ters, forms a part of their moral system, was necessary. That they must wait events, and be ready, to avail themselves of circumstances. To renounce a connection with Spain, would have been to forfeit their claims to pensions, from that government. To avow that connection, was to defeat their own purposes, among the people.

For it is in vain to dissemble, in this convention, there were two parties, the one loyal, patriotic, and determined to maintain the integrity of the union—desirous of separating Kentucky from the residue of the state, with the assent of the legislature, and of congress, in order to become a regular member of the federal union.

At the head of this party, were Colonel Thomas Marshall, Judge Muter, Colo. Joseph Crockett, and Colo. John Edwards; supported by a large majority of the gentlemen from the different parts of the country; and sometimes distinguished, by the appellation of the *country party*; in contradistinction to the *court party*, an epithet bestowed on their opponents, on account of the leaders, with the exception of General Wilkinson, being members of the bench, or barr, of the Supreme Court. The most prominent of this party were Wilkinson, Brown, Sebastian, and Innes—at the head of these, was Wilkinson.

Their scheme was a declaration of independence, an immediate organization of government; a treaty with Spain; and an ultimate connection with the union, or not, according to circumstances, and contingencies.

Nor was there any doubt in the minds of those who had attended to their conduct and connected their opinions with any practical result, but that they had adopted their line of policy, and were decidedly in favor, of a *connection with Spain*, in preference to one with the union.

They were supported by many, who did not see the ultimate object, whose confidence they had acquired, and upon whose credulity and want of information they imposed, by an ostensible zeal for the public interest, and especially for the attainment of the navigation of the Mississippi; magnified into an object of the first importance, and necessity.

It is believed, upon the evidence of circumstances, that the *conspirators*, waited with much anxiety, and solicitude, to see whether the new federal constitution would be put into operation, or not.

In the first event, they foresaw that they must necessarily forego, their favorite object of connecting the country, with Spain. In the other alternative, the field would still be open to them, with increased prospects of success. For the old confederation was on the verge of the grave, and ready to dissolve itself, from imbecility, and weariness.

The federal constitution lately formed, was viewed by, both its friends, and its enemies, and they were nearly ballanced, on the American scale, as a germ of vigor, and efficiency, which was to shoot forth its branches, to the protection of every part of the united territory; and under the shadow of which, the poisonous, and deleterious weeds of insurrection, and treason, would receive their blight.

But if this new system should not be organised; there was nothing for conspiracy to apprehend, but from Virginia alone; and she it was thought, would in all probability be engaged in adjusting her new continental relations—and otherwise averse to a war with Kentucky, to reduce her to a former dependence, which had long been considered as of a temporary nature.

To those who were disappointed, and to whom the present moment offered no other resource, it was prudent to acquiesce, to dissemble, to wait for changes favorable to their purposes; and they did so. They retained their places, of power, and by means of these, their influence, among the people. The judiciary, in all free governments, is an institution of the most immediate importance to the people; in Kentucky, it has always possessed an extraordinary share of influence over public opinion, by reason of conflicting titles to land, which it was to revise—whence it was always formidable, often despotic, and frequently arbitrary.

These observations will merit further elucidation in the progress of this history.

A party of Indians way-laying the road from Lexington to Limestone, fired on some waggoners, near the Blue Licks, killed one of the men, and took the horses, on the day that the last convention met. This circumstance shews the insecurity of travelling even on the most public road, for which it is recited, more than for any effect which it has been known to produce.

In the last of December, reports reached Kentucky that about six hundred Indians attended the conference

proposed to be held at the mouth of the Muskingum; on the ninth of January 1789, a treaty was made with the Sachems and warriors of the Wyandot, Delaware, Ottawa, Chipawa, Pottawatama and Sac, nations. Thus recommenced, a new circle, of treating, and fighting, with the Indians on the frontiers.

Such had been the effect of the negotiation with the Indians, that as early as the 5th of January 1789, John C Symes announced their pacific dispositions; and invited the people to survey the land in the Miami purchase.

In this month the third act of separation passed by the general assembly arrived in Kentucky, and was the object of eager enquiry, by all; of severe criticism by some; and of entire approbation by none.

This act had passed into a law as early as the 29th of December 1788; which shews that the legislature really had no desire to keep the people in suspense, but were willing, that they should separate, and become an independent member of the union, with all convenient dispatch.

It contains, however some new conditions, reasonable as they might be thought by Virginia, which were highly exceptionable in Kentucky, and perhaps justly so. The one, went to subject the proposed state of Kentucky, *to the payment of a proportion of the domestic debt of Virginia, then existing.* The reason for this, was, the very great expense incurred, in expeditions, and other military operations, on account of the district, subsequent to

the first act, of separation, which had been assumed, by Virginia, and which she stood bound to pay.

The other condition, not of a pecuniary nature merely, was however in its principle, much more exceptionable. It not only proposed to secure to the Virginia officers and soldiers on the continental and state establishment, their bounties in the lands set apart for them, lying in the proposed state, to be located, and surveyed, within a reasonable time, subject to the future controul of Kentucky ; but it went to continue, the state of Kentucky, dependent on Virginia as to the time, for completing the titles to those officers, and soldiers. And which we suppose was rather the effect of over much caution, than any design to abridge the sovereign rights of the proposed state ; and especially, as upon representation, the arrangement was altered.

This act authorised the election of another convention to consist of five members from each county, to be elected as formerly, and to meet at Danville on the third Monday in July 1789, with full powers to decide on the question of separation, and to take measures, for framing a constitution, and organising government.

In all other respects, than upon the points heretofore noticed, this act being essentially the same as those previously inserted, it is thought unnecessary to transcribe this ; and the more particularly so, because there was yet a fourth act, upon which the separation ultimately took place.

About this time, Colonel Thomas Marshall was appointed receiver of the revenue in the district of Kentuck-

ky, and the ordinary collectors were ordered to settle with, and pay over to him, the amount of their collections. This office was made the subject of invidious reflection by the *Spanish party*; whose object was to render both the office, and officer, unpopular, as one of the means of their own success. For they had already experienced in Colonel Marshall an opponent who readily penetrated all their midnight plots, or day-light projects—and in whom they saw one of their most steady and inflexible obstacles to success.

January 1789, the elections were held for choosing, Electors, of president, and vice-president, of the United States, under the new constitution. No votes were given in Kentucky.

The first Wednesday in February the electors were to meet at the seat of government, and vote for those officers.

The new government was to commence its operation on the first Wednesday in March succeeding

General Washington had already been designated, in public opinion; and it was thought that the Electors would have little difficulty, in consecrating this beloved man, to the office of president.

No doubt this opinion had the happy effect of suppressing competition, and of producing its own accomplishment; which was effected by an unanimous vote.

Under this impression, Colonel Thomas Marshall, as early as the 8th of February 1789, wrote to the president elect, an account of the state of the district, and of such symptoms of foreign intrigue and internal disaffection as

had manifested themselves, to him; and which he considered it his duty to represent to the president, that he might in due time apply the proper corrective.

If this communication has any fault, it is the delicate reserve, which it manifests with respect to all individual character, thereby leaving the president open to deception, and imposition, in his future nominations to office, in Kentucky.

From this communication however we learn, that Kentucky being thought in market, and to be bought by some neighboring nation, the British government had determined to become the competitor of Spain in the purchase. With this view, she had as early as November preceding, deputed Doctor Connolly, a man of talents, and address, from Quebeck, to Kentucky, to sound the disposition of the leading people in the country, and to make preparatory arrangements, for affording British aid in any attempts, that might be made on the provinces of his Catholic majesty. The free navigation of the Mississippi, known to be the "hobby horse" of the day, was held up to view, as one of the first and most certain consequences of the proposed coalition. Four thousand British troops were said to be ready in Canada, to march at a moment's warning. These ideas were distinctly suggested by the Doctor to Colo. Marshall, and Judge Muter, in a short conference, which he sought for that purpose.

Doubts were suggested of British friendship, while they held the posts and encouraged as it was supposed, the hostility of the Indians. The Doctor, promised to make

a proper representation to Lord Dorchester on his return ; and invited a correspondence, which was promised, in case he would set the example. Circumstances, were not thought favorable by the Doctor, to a full disclosure, and he took his leave, after an imperfect communication of his views, and projects.

The sagacity of Doctor Connolly disclosed to him, through the enquiries which were made of him, and the answers returned to his interrogatories, that a correspondence, on the topics of his late conference would not by its effects repay the risk, and the trouble of its execution ; and with the first interview, ended the whole negotiation.

This conference, had been brought about by Colonel John Campbell, who introduced Connolly, as a gentleman from Canada, who had come to the country to look after some land which had been confiscated in the war of the revolution.

From the farm of Colonel Marshall, the Doctor proceeded to Lexington, where he had an interview with General Wilkinson, whence a suspicion arose that he was a British spy ; which excited some commotion, and exposed him to some danger ; to extricate him from this, he was privately conveyed out of town, under a small escort to Limestone : and thus ended the only British intrigue ever attempted in Kentucky. That of Spain, was revived ; suspended by a French intrigue, and again revived. But of these matters we reserve the details for the proper periods.

Colonel Marshall, and Judge Muter often spoke of this visit, with some mortification at the implication, that they were to be tampered with ; even in opposition to the Spanish party ; and to which, their preeminence in that opposition, undoubtedly exposed them, in the opinion of Doctor Connally.

The election of General Washington, to the presidency of the United States was now rumored, and the opinion seemed to be universal, that the new constitution would be put into operation.

In April, the elections took place, for members to the convention, which was to meet at the usual place on the third monday of July ensuing, once more to decide on the expediency of separation, according to the act of assembly.

It is believed that these elections produced less agitation, than several of the preceding. Even in Fayette, there was nothing remarkable in the canvass. General Wilkinson, was not a candidate. He was now either engrossed by his domestic and foreign speculations which left him no time for politics, or convinced by the experience of the last year that the people were not ripe for revolt from the union, he affected to be disgusted with public life, and confined himself to the management of his own affairs, which were extensive, complicated, and embarrassed.

In May, a party of the Southern Indians, penetrated the neighborhood of the Crab Orchard, situated on the South Eastern border of the settled country, and stole a number of horses.

Nathan M'Clure, Ensign, to Captain Whitley raised a few of his warriors, and pursued the trail of the Indians, out to the ridge between Rock-Castle, and Buck-Creek, where they incidentally fell in with an other party of Indians, a very fierce skirmish immediately ensued, in which M'Clure was mortally wounded, and several of his men slightly. It was uncertain how much the Indians suffered, for both parties left the field precipitately. M'Clure was carried by one of his men to a cave at some distance, and there left at his own request; that night he died of his wound; and the next day, when a party went to seek for him, his remains were found, much reduced, and mangled, by wild beasts. This was one of the most brave, active, and useful officers of his rank, in Kentucky.

About the same time John Pointer was killed by the Indians, who were pursued, by the Horines, but escaped.

Reports of Indian hostility were now frequent—early in June they fired on two men, and three boys fishing in Floyd's fork. They killed the men, and took the boys prisoners—they were not pursued.

About the 20th of the month three Indians came to Jacob Stuckers on North Elkhorn and stole three horses—on the next day a lad was killed, near Colo. Johnson's mill. On this occasion Captain Herndon assembled a company, and pursued the savages, when falling upon the horse tract which was easiest followed, he took it, and coming up with the enemy, fired on them, killed two, wounded the third, and then returned.

In the course of this month, a man near Drennon's Lick was killed.

Thus it appeared by these different occurrences, that those barbarians in small detached parties were on all sides, perpetrating their murders, without presenting an object for the force of the country to act on; but rendering every part of the frontier insecure; and filling the minds of the people, exposed to their depredations, with all the horrors incident to Indian warfare; the more terrible, as the stroke was sudden, and often come from a secret, and hidden hand.

Early in July, Isaac Freeman, brought a Speech from the Miames, dated the 7th of the month, expressing a wish for peace, accompanied by several prisoners, taken from Kentucky. These were left with Judge Symes on the Ohio, who made a representation to the officer of the United States.

The middle of the month a letter dated the 21st of June addressed by the Governor of the commonwealth, to the county lieutenants on the western waters, arrived in Kentucky, purporting that a letter from the president of the United States had been received, rendering it unnecessary for Virginia to defend the frontier, as a continental force was stationed on the Ohio for that purpose; and directing that information should be given, of Indian depredation, to the officer commanding the federal troops at the nearest post.

Such was the situation of the country, when on the 20th of the month, the convention of July 1789, met at Danville.

CHAPTER X.

CONTENTS OF CHAPTER X.

The convention of 1789 meet in July, reject the terms of separation offered—apply for an alteration of the law—obtain it—they make a representation of Indian affairs—take steps to obtain a census of the people—enter into a non-importation resolution—proceed in relation to the defence of the frontiers, and adjourn. Incidents of Indian hostility—Scott's excursion—The convention of 1790 meet—agree to the terms of separation—and take measures to effect the object. General Harmar's expedition. Colo. John Hardin accused, and acquitted. A variety of places manned for defence—Proceedings of congress respecting Kentucky.

ON the 20th of July 1789, the convention met in Danville agreeably to law, and after some discussion of the terms of separation, which had been varied, as before observed, came to the following resolution—

“Whereas it is the opinion of this convention, that the terms now offered by Virginia for the separation of the district of Kentucky from said state, are materially

altered from those formerly offered and agreed to on both sides ; and that the said alteration of the terms is injurious to and inadmissible by the people of this district:

“ Resolved therefore, That a memorial be presented to the ensuing General Assembly of the state of Virginia, requiring such alterations in the terms at present proposed to this district for a separation, as will make them equal to those formerly offered by Virginia, and agreed to on the part of the said district of Kentucky.”

The memorial was accordingly drawn up, agreed to, and transmitted to the general assembly—who made the alterations desired.

To this convention, the following circular was presented, as to a kind of local legislature :

“ Copy of a letter from the Governor of Virginia to the county lieutenants of this district.

“ RICHMOND, JUNE 1, 1789.

“ SIR—The enclosed copy of a letter from the President of the United States, rendering it unnecessary that this state should any longer, at her own particular charge, support the troops called into service for the defence of the western frontier ; you will immediately discharge all the scouts and rangers employed in your county. In cases of any future incursions of the Indians, you will give as early information of them as possible to the officer commanding the continental post on the Ohio, nearest the point of attack. I have communicated to the President the instructions now sent you, and have no doubt but effective measures will be taken to protect all the inhabitants of the frontiers.

“ You will, if possible, furnish me before the meeting of the next assembly, with a statement of the whole expence incurred this year, for the pay and support of the scouts and rangers engaged in the defence of your county.

“ I am sir, your obedient servant,

“ BEVERLY RANDOLPH.”

Upon the subject matter of the foregoing communication, the convention resolved,

“ That Mr. Muter, Mr. Campbell, Mr. Logan, Mr. Thomas Kennedy, Mr. Wm. Kennedy, Mr. Marshall, Mr. Leitch, Mr. Irvine, Mr. Machir, Mr. Edwards, Mr. Slaughter, Mr. Lee, Mr. Shelby, Mr. Smith, Mr. Grundy, Mr. Trotter, the President of this convention, or any four of them, be appointed a committee to draw up and transmit to the executive a remonstrance on the subject of discharging the scouts and rangers in the different counties of this district, and also to state to his excellency the president of congress, the defenceless state of our frontiers, the most probable mode of defence, the depredations committed by the Indians in this district, since the first day of May last, the small number and dispersed situation of the continental troops which renders it impossible they can either assist us, or intercept the enemy; and report to the next session of this convention copies of their proceedings and letters, and the answers they may receive in consequence thereof.”

They also resolved, that the delegates to this convention meet at their court-houses, on the October court-

days, and lay off their respective counties into precincts, and that each delegate make out a list of the souls residing within his precinct; discriminating between males and females, and between those over, and those under twenty-one years of age. And that the president of the convention be, and is authorised, so soon as an act of the legislature containing the alterations desired, shall come to hand, to call the convention.

To these proceedings, were added resolutions, against the use of imported goods, especially of a fine quality. While great emphasis was laid on the distressed and embarrassed situation of the district.

After the experience of revolutionary times on the subject of non-importation from Great Britain, it is a matter of some astonishment, that the same men should have expected relief from their difficulties and embarrassments, by denying to themselves and families the comforts of life within their reach, and which essentially depended on their own industrious exertion. But this was unquestionably a lump from the leaven of the Spanish intrigue. It was foreseen that such a measure would increase the distress of the people, and prepare them for the more easy inflammation on the subject of the Mississippi navigation. The exclusion of which, was the ostensible reason for this self-denying ordinance. For under the pretence that the district could not export, as if the Mississippi was the only channel, it was not to import. As if the one would not find its way, where the other was permitted. And as if the effect of prohibition on import, was not to destroy the inducement to raise subjects for

export, by discouraging industry and enterprise ; and by increasing the present distress.

On the 8th of September, George Muter and others wrote to the secretary of war, complaining of Indian hostilities—on the 15th of December, an answer was returned with assurances from the president, that measures would be taken for the defence of the frontiers.

Nine days afterwards the president laid before congress a letter from Governor St. Clair, which represented the existance of Indian hostility on the frontiers—that the Kentuckians traversed the territory, of which he was Governor, to get at the enemy, whom he was not able to chastise—and recommending defensive measures. The president recommended to congress, that they should provide for calling out the militia.

The 29th of the month, the president proclaimed the treaty made by Governor St. Clair with the Indian tribes north-west of the Ohio.

In October an association was formed at Danville, for the institution, and encouragement of internal manufactures—which being premature, perished in its infancy.

The legislature of Virginia address the president of the U. States on the 28th of October, recognizing his attention to the defence of the western frontier ; they represent a continuance of Indian hostility—and recommend an expedition against them.

The 27th of November Colonel Patterson and three men encamped on the head of Eagle Creek, were fired

on by six Indians, who killed two of the men ; the other, with the Colonel escaped.

A boat descending the Ohio, about the 10th of December, was fired on by Indians, near the three islands—two men, and a ^{man} woman, mortally wounded. Five days afterwards, Major M'Millan, and others went to the Flat Lick, to hunt game, and being in the edge of a Cane Brake, the Major's attention was arrested by a noise, which he supposed, proceeded from a bear, which he prepared to shoot, when it should appear. Instead of a bear, an Indian appeared, received the fire, and fell. The Major, after charging his rifle, went up to scalp the dead—when, as he stooped to perform the operation, he discovered six Indians, who at the same instant discharged their pieces at him ; he fled, and was so closely pursued by one of the savages, that he was forced to shoot him—and escaped unhurt.

In the last of the month, the Indians killed a man, and took a boy on Slate Creek. The same party soon after fell on a camp near the Upper Blue Lick, which they plundered, after killing one man, and dispersing the rest.

Arriving at the Ohio, in Kennedy's bottom, the same Indians discovered a boat, just putting to land—they bound the boy—fired on the boat, killed five men, and took one woman. In the mean time the boy escaped ; and gave an account of their transactions, upon his return.

Thus ended the year 1789—and that of 1790, succeeded, but to witness a repetition of like scenes.

The 16th of January, the Indians took two men and a lad, near the mouth of Lee's Creek on the Ohio. A few days afterwards they killed two men on the hanging fork of Dick's river. The 29th of the month, a man was made prisoner opposite the mouth of Kentucky—and the settlement at that place evacuated.

March the 1st, the Indians killed a part, and dispersed the rest of the people in Kennedy's bottom.

The 10th of the month, the governor of the commonwealth stating, that he had received information from the governor of the north-western territory, that incursions were made by parties from Kentucky, through that territory, upon the tribes of Indians in amity with the U. States ; proceeds to reprehend such conduct ; and orders that no party shall in future, under any pretence whatever, enter the territory of the United States, or any Indian tribe.

A canoe, ascending the Ohio, about the last of March, was taken by the Indians, near the Sciota, and three men killed. About the same time a boat coming down, was decoyed to shore by a white man, who feigned distress ; when fifty savages rose from concealment, ran into the boat, killed John May, and a young woman ; and took the residue of the passengers prisoners.

Soon after this event, other boats were taken, and the people killed, or carried away captive.

The 2d of April, the Indians attacked three boats on the Ohio, near the mouth of the Sciota—two being abandoned, fell into the hands of the enemy, who plun-

dered them : the other being manned with all the people, made its escape.

Such a series of aggression, roused the people at length—and General Scott, with 230 volunteers, crossed the Ohio at Limestone, and was joined by General Harmer with 100 regulars, who march for the Sciota ; the Indians had however abandoned their camp, and there was no general action. On the march a small trace, made by Indians was crossed, thirteen men were detached upon it, they came upon four Indians in camp, the whole of whom were killed by the first fire.

On the 13th of April, the secretary of war wrote to Judge Innes, expressing the anxiety of the president of the United States, to extend the benefits of certain defensive regulations, to all the frontiers ; and placing it in the power of the Judge, to authorise the county lieutenants to call out the scouts to protect the defenceless inhabitants.

In this month, a company on its way to Kentucky, encamped on Rock Castle, were fired on by Indians ; when one white man and a negro were mortally wounded. Three children tomahawked, and the rest dispersed, with the loss of horses, and baggage.

The 23d of May, a collection of men, women, and children, returning from a sermon on Brashears'-Creek, were fired on, one man killed, and a woman made prisoner. The Indians being pursued soon after, tomahawked the woman, and escaped.

In June, of two spies, one was killed near the Big Bone Lick : and an Indian shot on Cox's Creek:

The 19th of the month, one man was killed and scalped, another wounded, by Indians at Baker's Station. They fired on nine men at Morgan's Station, the 25th of the month, and wounded three—one of them mortally. The same day, a boat, with families, among whom were six men, was attacked near the three Islands, in the Ohio, by sixteen Indians, in four bark canoes—The Indians approached the boat without firing, the white men fired, but with little effect; immediately the Indians board the boat, and make the men and families prisoners. The property which could not be carried away, was sunk in the river; and the march commenced for the towns. The following night, one of the women, had a child born, with which she was compelled to travel in the morning. The second day one of the men escaped. The Indians were Towas, and said they intended to make slaves of the prisoners.

The 30th Governor St. Clair, arrived at the falls of the Ohio, on his way to meet General Harmer, with whom to concert the means of carrying an expedition into the Indian country.

The 2d of July it was resolved, by a meeting of citizens at Danville, that the frequent depredations of the Indians on persons and property, made it necessary to march against their towns. And that a conference might be had among the field officers, it was proposed that they should meet at the same place on the 26th of the month.

Two of the spies for Mason county returning to Cas-

aday's fort on the 18th, were mistaken for Indians, fired on, and one of them mortally wounded.

On the 26th of the month, the convention met, as had been provided by the act of assembly. They chose George Muter for their president—and resolved, “that it was expedient for and the will of the good people of the district of Kentucky, that the same be erected into an independent state on the terms, and conditions specified in an act of the Virginia assembly, passed the 18th day of December 1789, entitled an act concerning the erection of the district of Kentucky into an independent state.”

The next step, was a formal acceptance of the terms and conditions specified in the before recited act.—They declare that on the first day of June 1792, the said district, shall become a state, separate from, and independent of the government of Virginia—and that the articles of separation become a solemn compact, binding on the people of Kentucky.

Mr. Bullitt, prepared an address to the assembly of Virginia, which was agreed to, announcing the acceptance of the terms of separation—and requesting the aid of the Virginia representation in congress, to obtain from that body an act of admission, for the new state into the federal union.

A memorial to the president of the United States, and to congress, was presented to the convention by Mr. James Marshall, and adopted.

Expressing attachment to the present happy establishment of the federal government—stating the causes

and motives for separating from Virginia—the competency of the district to sustain government—the time limited for its organization as a state—and praying the congress to sanction the whole proceeding, by an act of admission into the union.

And finally the convention resolved,

“That in the month of December, 1791, on the respective court days of the counties within the said district, and at the respective places of holding courts therein, representatives to continue in appointment for seven months, shall be elected by the free male inhabitants of each county, above the age of twenty-one years, in like manner as the delegates to this present convention have been elected in the proportions following :—In the county of Jefferson shall be elected five representatives, in the county of Nelson five representatives, in the county of Mercer five representatives, in the county of Lincoln five representatives, in the county of Madison five representatives, in the county of Fayette five representatives, in the county of Woodford five representatives, in the county of Bourbon five representatives, and in the county of Mason five representatives. Provided, that no person shall vote in any county except that in which he resides, and that no person shall be capable of being elected unless he has been resident within the said district at least one year. Each of the officers holding such elections shall continue the same from day to day, passing over Sunday, for five days including the first day, and shall cause this resolution to be read each day immediately preceding the opening of

the election at the door of the court-house or other convenient place. Each of the officers shall deliver to each person duly elected a representative, a certificate of his election and shall transmit a general return to the clerk of the supreme court, to be by him laid before the convention. For every neglect of any of the duties hereby enjoined on such officers, he shall forfeit one hundred pounds, to be recovered by action of debt by any person suing for the same. The said convention shall be held at Danville, on the first Monday in April, and shall and may proceed after choosing a president and other proper officers, and settling the proper rules of proceeding, to frame and establish a constitution or form of government, and also to declare what laws shall remain in force until altered or abrogated by legislative authority acting under the constitution so to be framed and established."

Thus was brought to a period, the long sought separation of Kentucky, and her erection into an independent state; subject only to the assent of congress. About which no serious apprehension was entertained by well disposed men of information.

The president of the United States, with that attention to the peace and security of every part of the U. States, which had ever characterised his vigilance, and humanity, considering that defensive measures against the Indians, were not adequate to the protection of an extensive and exposed frontier, had ordered an expedition against their towns; to be carried on by the joint force of regulars, and militia, under the command of General Hamner.

Suitable preparations being made, 1333 militia from Kentucky, were united with 320 continental troops—who on the 30th of September, set out from the Ohio for the town on Miami. The march was performed, and the village gained without difficulty—the cabins burnt, and the corn destroyed. But this was not the end of the business—the Indian warriors, who had evacuated the town on the approach of an army, so much superior to any force they could raise, after receiving some reinforcements, rallied under their chiefs—attacked the army of General Harmer—killed 180 of his men, and kept the ground, with a loss as it was supposed, from 100 to 120 of their own number.

The expedition upon the whole, was one of great loss, and little glory.

Complaints forever attend misfortune, as that is the constant companion of misconduct. On this occasion, Colonel John Hardin, was made the subject of some invidious insinuations, and reproaches—conscious of his own integrity, and honor, he demanded a court of enquiry; who after a full investigation, rendered him an unanimous acquittal.

The situation of the country called for some internal regulations, and establishments, calculated to cover, and protect its extensive frontiers, at such points at least, as were most exposed. Those provided consisted of a number of small posts, dispersed among the remote settlers, who could not be supported by contiguous, and populous neighborhoods.

At the Three Islands,

20 men

At Locust Creek,

18

At the Iron Works,	17 men
At the Forks of Licking,	12
At the Big Bone Lick,	18
At Tanner's Station,	5
At Drennon's Lick,	10
At the Mouth of Kentucky,	9
At Patten's Creek,	10
At the Mouth of Salt River,	19
At Hardin's Settlement,	12
At Russell's Creek,	15
At Severn's Valley,	10
At the Widow Wilson's	5
At Estill's Station,	10
At Stevenson's,	18
At the Knob Lick,	9
Besides similar distributions, at many other places.	

On the 8th of December, the president, in his communications to congress, strongly recommended the adoption of the new state of Kentucky into the union, in terms equally affectionate, and honorable.

The Senate, on the 13th, reciprocated this message, and "assured him of their disposition to concur in giving the requisite sanction to the admission of Kentucky, as a distinct member of the union."

In doing which they say, "we shall anticipate the happy effects to be expected from the sentiments of attachment towards the union, and its present government, which have been expressed by the patriotic inhabitants of that district."

A few days afterwards, the House of Representatives, say, on the same subject —“ we shall bestow on this important subject, the favorable consideration which it merit —and with the national policy which ought to govern our decision, shall not fail to mingle the affectionate sentiments which are awakened, by those expressed, in behalf of our fellow-citizens of Kentucky.”

The 4th of February, 1791, each branch of the government had verified its integrity by passing the act of admission ; which gave the crown of success to the honest efforts of those in Kentucky, who had sought to place her among the independent states of the American union, not at the foot of the Spanish monarchy. At this moment, the suspicions excited by Mr. Brown, and the other conspirators, and intriguers, should have vanished —and their aspersions on the atlantic states, should have been rolled back with indignant scorp, on their own heads. But their influence on public opinion had become too powerfu', and extensive, for these sensations to predominate in the popular breast.

There was yet the navigation of the Mississippi, and the Indian war, for them to manage. Nor did they cease to apply them to the annoyance of the General Government, and to the purposes of their own ambition, and disaffection to the federal system—as the sequel will demonstrate.

26-1484



